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OF THE

Bristol and Gloucestershire Archæological Society

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TRANSACTIONS

OF THE

Bristol and Gloucestershire Archæological Society

FOR

1901.

Edited by Rev. C. S. TAYLOR, M.A., F.S.A.

VOL. XXIV.

BRISTOL:
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Bristol and Gloucestershire Archæological Society.

PROCEEDINGS

At the Annual Spring Meeting,

At Winterbourne, Almondsbury, Over Court, and Westbury-on-Trym,

Thursday, June 6th, 1901.

The weather was delightfully fine, and there was a good attendance of members, amongst those present being Alderman F. F. Fox (President of the year), the Lord Bishop of Bristol (Vice-President), the Rev. C. S. Taylor (Hon. Editor), the Rev. Canon Bazeley (Hon. General Secretary), Mr. F. F. Tuckett, Mrs. Tuckett, Mr. E. J. Swann, Mr. Claude B. Fry, Mrs. Fry, Mr. H. T. M. C. Gwynn, the Rev. D. L. Pitcairn, Mr. R. C. Tombs, Mr. G. H. D. Chilton, Mr. Francis Were, Mr. J. E. Pritchard (Hon. Secretary for Bristol), Mrs. J. E. Pritchard, Mr. W. Moline, Mr. James Baker, Mrs. Baker, Mr. H. Ormerod, Miss King, Mr. J. H. Clarke, Mr. W. W. Hughes, Mr. Arthur May, Mrs. May, Mr. C. Scears, Mrs. Scears, Dr. Alfred Harvey, Mr. J. J. Simpson, Mr. John Weston, Mrs. Weston, Mr. F. J. Hirst, Mr. J. Gilchrist, Miss E. M. Baker, Mr. W. M. Llewellin, the Rev. R. C. Colthurst, Mr. C. J. Lowe, Miss Lowe, Mr. E. A. Prichard, Mrs. Prichard, Miss Roper, Mr. T. Sherwood Smith, Mrs. A. H. Thompson, Mrs. E. J. Taylor, Miss Watson, the Rev. W. T. Alston (Gloucester), Mr. W. H.

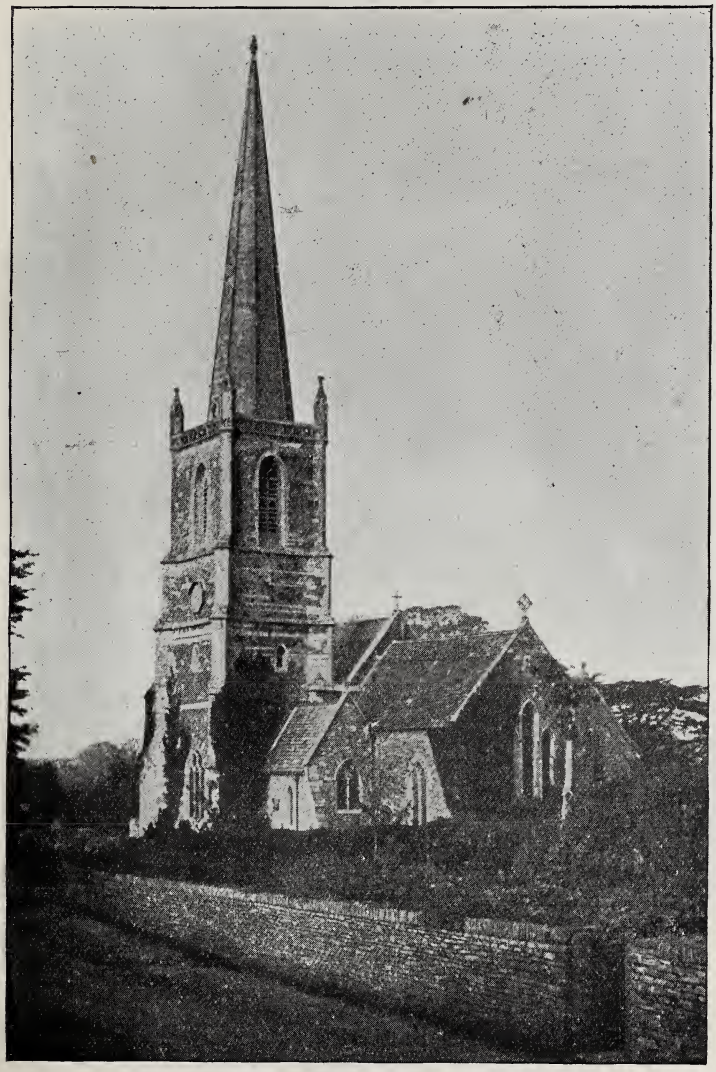
ARMITAGE, Miss ARMITAGE, Mr. W. E. BAXTER, Mrs. BAXTER, Mr. ST. CLARE BADDELEY, the Rev. W. BAGNALL-OAKELEY (Monmouth), Mrs. BAGNALL-OAKELEY, Mr. ARTHUR COCKSHOTT, Mrs. R. CHILD, Mr. F. G. CULLIS, the Rev. W. H. SILVESTER DAVIES (Stroud), the Rev. J. DUMAS (Chipping Sodbury), Mr. C. H. DANCEY, the Rev. E. W. EVANS (Beverstone), Miss GODFREY, Mrs. GOLDING, Mr. C. E. GAEL, Mrs. HARDY, the Rev. W. E. HOWELL, Miss ISAKE, Mrs. JEBB, Mr. H. S. KENNEDY SKIPTON, Miss EDITH MADAN, Mrs. MILES, Mrs. MARSHALL, Mr. A. C. MITCHELL, Mrs. OMAN, Miss A. OSBURN, Surgeon-General RINGER (Cheltenham), Mrs. STABLES, Miss STABLES, Mr. A. E. SMITH, Miss SMITH, Mr. J. DUDLEY SCOTT, Mr. C. H. STANTON, Mr. W. J. STANTON, Miss STANTON, Mr. C. SCOTT, Mr. G. OAKELEY TOWER, Mr. JOHN TIBBETTS, the Rev. A. H. VEASEY (Kemble), Mrs. WALKER, Mr. D. J. WINTLE, Mrs. WINTLE, the Rev. G. R. WOOD (Almondsbury), and Miss WOODWARD.

The Bristol section left Durdham Down at eleven o'clock in breaks, and reached Winterbourne at noon, where they met the other members, who were driven from Mangotsfield.

It should be mentioned, first of all, that the enjoyment of the expedition was much increased by the excellent programme which had been compiled for the use of members by the Honorary Secretary, Canon Bazeley.

The first place visited was Winterbourne, which, at the great survey, was part of the Royal Manor of Bitton. Henry II. granted it to Richard Walsh, or Welshman, and it passed by marriage with the heiress of Ralph Walsh to the Wrokeshalls and Hadleys. John Giffard, of Brimpsfield, unjustly deprived Robert de Hadley of it in 1323. Sir Thomas, Lord Bradston, and his wife Agnes, held it conjointly of Henry FitzStephen in the time of Edward III., Thomas, son of Robert and Blanch de Bradston being their grandson and heir. Lord Bradston fought at Crécy. As Governor of Gloucester, he erected the city walls, and is thought to have given the east window of the Cathedral in

memory of his friend and companion-in-arms, Sir Maurice Berkeley, who died during the siege of Calais. Thomas de Bradston held it of John FitzStephen, and died in 1374, leaving a daughter, Elizabeth, who married Sir Richard de

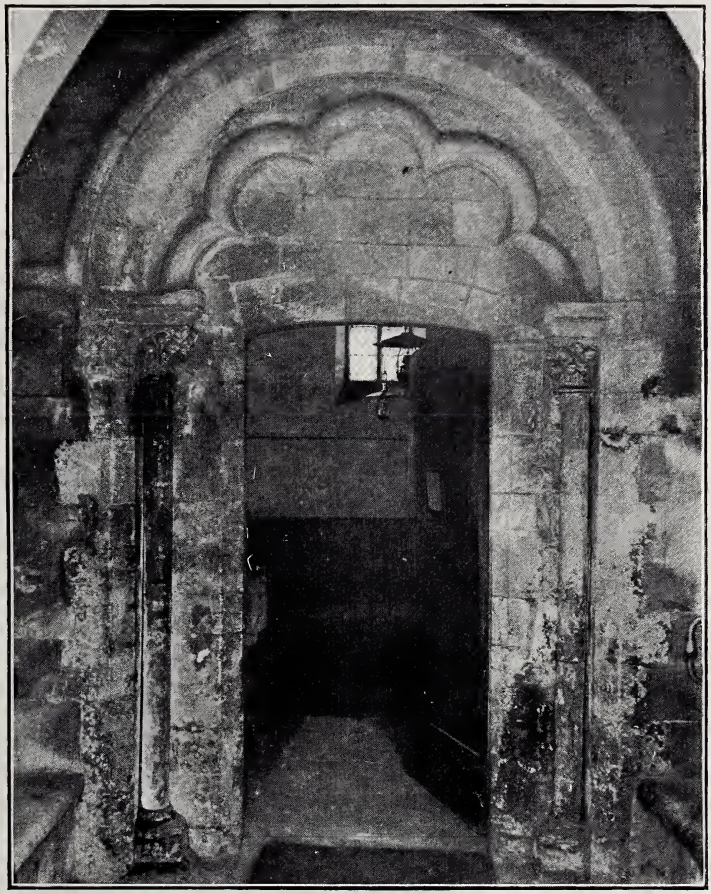


ST. MICHAEL'S, WINTERBOURNE.

St. Maur. Thomas, son of Edward, son of John de Bradston, brother of the above-named Thomas, inherited the Winterbourne estate in 1409. The Bradstons sold it in the time of Henry VIII. to the Poyntzes. Since then it has had many lords.

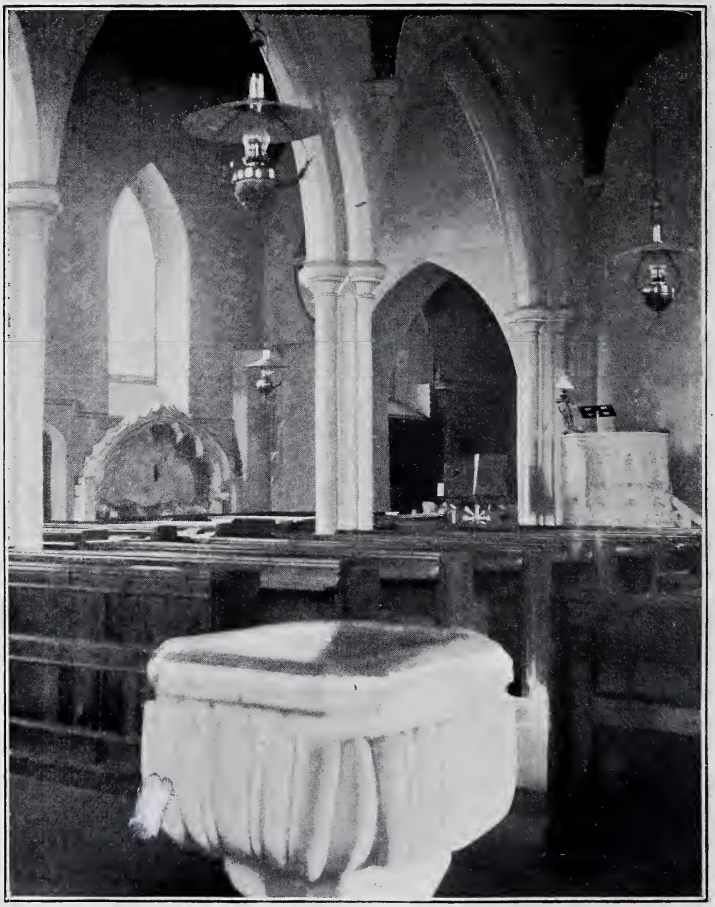
The Church of St. Michael, Winterbourne, has passed through several restorations, and there are many pitfalls for the unwary student. It consists of a nave with north aisle, rebuilt in 1842, and a south porch, a chancel with chapel and vestry on the north side, and a tower, set transept-

SOUTH WALL OF TOWER, WINTERBOURNE.
M. Lavington, Photo.



SOUTH DOORWAY, WINTERBOURNE CHURCH.

From a photo by M. Lavington.

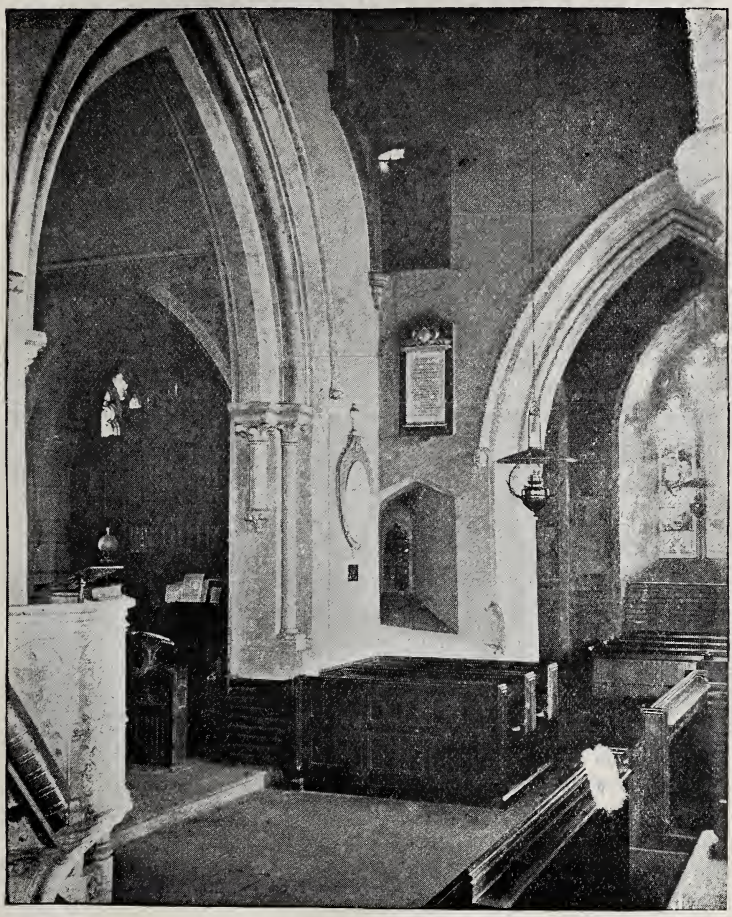


INTERIOR OF WINTERBOURNE CHURCH.

SHOWING TOMB OF HICKORY STERN.

From a photo by F. F. Tuckett, F.R.G.S

wise on the south side of the nave. An organ chamber, built on the south side of the chancel in 1895, conceals many interesting details in the east side of the tower. The church appears to have been founded about the middle of the 12th century, and to have been gradually extended westward.



S.E. CORNER OF NAVE, WINTERBOURNE.
M. Lavington, Photo.

The pilasters supporting the east wall, the priest's door, and the chancel arch are Transitional Norman. In 1856 the east wall was rebuilt and raised two feet to admit of a loftier window than the original one. The Early English south doorway of the nave is square, with a solid tympanum and

a semi-circular arch, within which has been inserted cusped tracery forming a cinquefoil arch. The springs form circular shafts, having square caps with conventional foliage and round bases. The tower appears to be of two dates — Early English and Decorated, and the octagonal-ribbed spire is said to have been rebuilt some seventy years ago. The basement of the tower is connected with the nave by a pointed arch with good mouldings. The south window of the tower is Decorated. Heavy corbels supporting the first floor are decorated with seeded roses. Lower down, there are other remains of the 14th century wall-painting: a knight in plated armour with a pointed bascinet, bearing a flag, on which appear the arms of Bradstone: *Ar. on a canton gu., a rose or, barbed proper.*

Externally the tower is built of red sandstone with bands of grey stone. The diagonal buttresses are enriched with niches about seven feet from the ground. The tower has three tiers, the bells being in the uppermost one.

In the internal wall between the tower and the east wall of the nave are two deeply-splayed windows, one above the other; the upper one lighted the rood loft and the lower the rood altar, the piscina of which remains.

The chancel arch is of early 13th century date. The chantry chapel on the north side of the chancel, called the Manor Chapel, rebuilt in 1880, contains five stone effigies and a brass:—

1. A cross-legged knight in studded plate armour of the latter part of the reign of Edward III. His head rests on a tilting helm with the Bradston crest, *a boar's head couped and ducally gorged.*

2. On the same tomb is a lady with veil, wimple, and sideless gown.

These two effigies probably represent Thomas, Lord Bradston, who died in 1360, and one of his wives.

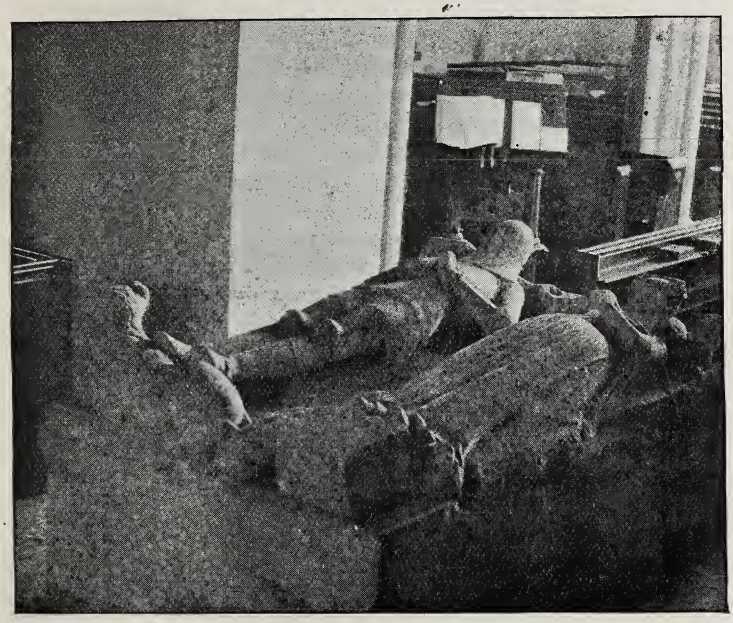
3. To the west of these, on an altar tomb, are two more figures: a knight with a similar helmet and crest, and beside him (4) a lady wearing a loose gown with no sides and a mantle fastened across the chest with a chain, from which hangs a jewelled ornament. She has also a small chain round her neck with a pendant. She wears the reticulated head-dress, with a veil.

These figures are thought to represent Sir Edward Bradston, a descendant of Lord Bradston, and his wife.

5. To the north of Lord and Lady Bradston lies a lady wearing a wimple and a long loose dress, with long sleeves, showing the tight sleeves of an under-dress. This may represent Blanch, widow of Robert de Bradston, and daughter in-law of Lord Bradston, who died in 1392. This effigy was originally in the tower, and was moved into the chapel when the organ was erected. Mr. Goodrich says tradition connects it with Hambrook. The tower was restored if not built by the Bradstons, and this may be the first wife of Lord Bradston. The Cooks, Ashtons, and Moretons held Hambrook in succession up to Henry VIII.

6. In the north wall of the north aisle, just outside the manor chapel, is the recumbent figure of a knight wearing a pointed bascinet, a camail, a surcoat cut away and very full in front, and a shirt of mail which shows below the surcoat.

There is a tradition at Winterbourne that this is Hickory Stern, who ran away with one of the Dennis ladies of Syston, and is the hero of the glee, "Oh! who will o'er the downs so free?" The Rector has suggested that it is Hugh de Sturden, one of the lords of the manor of Sturden, a hamlet of Winterbourne.



TOMB OF SIR EDWARD AND LADY BRADSTON.

F. F. Tuckett, Photo.

In the manor chapel is a brass effigy of a lady wearing a veil head-dress and a gown with pockets but without buttons. The kirtle beneath has long sleeves. This brass is described by Mr. Cecil Davis, and it is illustrated in Boutell's series. Mr. Davis thinks the date is about 1370; if so, it may represent Agnes, second wife of Thomas, Lord Bradston, who lived for some years after her husband's death in 1360.

The party were met at the church by the rector (the Rev. A. T. S. Goodrick, M.A.) After prayers, the rector said he had been asked to say a few words with regard to the church; but the architectural points had

been so fully described by Canon Bazeley in his notes that it saved him from the necessity of displaying his (the speaker's) ignorance. Mr. Bazeley had rightly said that the church had passed through several restorations, and there were many pitfalls for the unwary student. That he thought was due to two causes, and the first was that he believed that, though many of the original features of the church were preserved, there was hardly one that they could say was exactly in the same place in which the original stood. Some had been certainly moved, and, as his friend Dr. Crossman had pointed out to him, the tomb which tradition assigned to Hickery Stern stood in an entirely different part of the church. They learnt from tradition that it formerly stood partly inside the church and partly outside, and it was said that the reason for that was that the man buried there was either excommunicated on account of his evil life, or communicated when at the point of death. The second difficulty in studying the church was that they had absolutely no records. He knew no church so important or ancient which could give them so little information as to its origin or history as that one. The registers only went back to 1600, and they were imperfect. They had no record of the multifarious alterations which had apparently gone on ever since the early part of the last century. The churchwardens' accounts, from which one often got items of interest to archæologists, were deposited by a predecessor of his, when going for his holidays, in a neighbouring farm, and the same night the farm was burnt down and the accounts lost. The members might wonder how it was that the church was so far away from the village. It was partly to be explained by the fact that the present village was a modern one, and there could be no doubt that where the church stood was the centre of the village formerly, and the manor-house was there. In 1650 quarries were discovered and opened, and the road was diverted to the top of the hill, and, of course, the population followed its business and went there also. One interesting relic of the old village was the old horse step at the old rectory, which had been built into the pavement. A great proportion of the beaver hats manufactured for London houses were once made in the village, and during that time the wealth of the place was something abnormal. John Wesley, in 1770, made Winterbourne one of his preaching centres. With regard to the successive rectors of Winterbourne, they had no record of those before the Reformation; but probably it would be in the register for the Diocese of Worcester; but he had not had time to hunt up the matter. It might be interesting, as they had the Bishop of Bristol with them, to tell them that the first Bishop of Bristol died as Rector of Winterbourne. His name was Bush, and he came to Winterbourne to end his days. At the beginning of the 18th century the cold hand of plurality was laid upon Winterbourne, and it was held with St. George, St. Philip and Jacob, and

the Chancellorship of the Diocese of Bristol. Afterwards it was bought by St. John's College, Oxford. Among the rectors had been Dr. Allen, Canon of Bristol Cathedral, and one of the original founders of the English Church Union.

The LORD BISHOP said the Bradston pedigree showed the number of important heiresses there had been in it. He had there the six generations which followed the surrender of the Barony of Bradston, when the heiress married De La Pole. In those six generations only once did the son succeed the father; in all the other cases the heiress married into other families.

On the proposition of Mr. F. F. Fox, a vote of thanks was passed to the Rev. A. T. S. Goodrick for his remarks and for having permitted them to visit the church.

The party then proceeded to inspect the church, and great interest was taken in the Chantry Chapel, on the north side of the chancel, called the Manor Chapel (re-built in 1880), which contains the tombs and effigies of Thomas Lord Bradston and his wife.

The Rev. Canon BAZELEY made some remarks upon the history of Lord Bradston, who died in 1360, and was a retainer of the House of Berkeley. Mr. Bazeley said Lord Bradston was described as "a most remarkable gentleman, and a faithful servant of the Berkeley family." He was the inseparable companion of Sir Maurice Berkeley, the founder of three branches of the House of Berkeley, and he took an active part in the war which led to the deposition of King Edward II., and though no proof existed that he had the latter under his charge at any time, still he must bear the suspicion of being an accessory to the murder of that King. This Lord Bradston fought at Crecy, was Governor of Gloucester, where he erected the city walls; and was thought to have given the East window of the Cathedral in memory of Sir Maurice Berkeley, who died during the siege of Calais.

The party then drove to Almondsbury, pronounced Amesbury, which contains several ancient manors: Knole, Over, Gaunt's Erdcote, &c. In 1086 Almondsbury formed part of the Berkeley Manor. The manor and advowson of Almondsbury were given by Robert FitzHarding to St. Augustine's Abbey, Bristol, and they remained in its possession till the Dissolution. The manor was then granted, first to Patrick Milo, and secondly to Sir Arthur Darcy, from whose son it was purchased by Thomas Chester, who is said to have built Knole Park, c. 1570. It has descended from him to Colonel Chester Master. After luncheon, the members paid a visit to Almondsbury Church. They were welcomed by the vicar (the Rev. G. R. Wood), who said it was rather more than twenty years since a similar visit was made to that church. No doubt a great deal had been done to the church during that time, but a good

deal more remained to be done. He should be glad to learn what the Society had to say about the church.

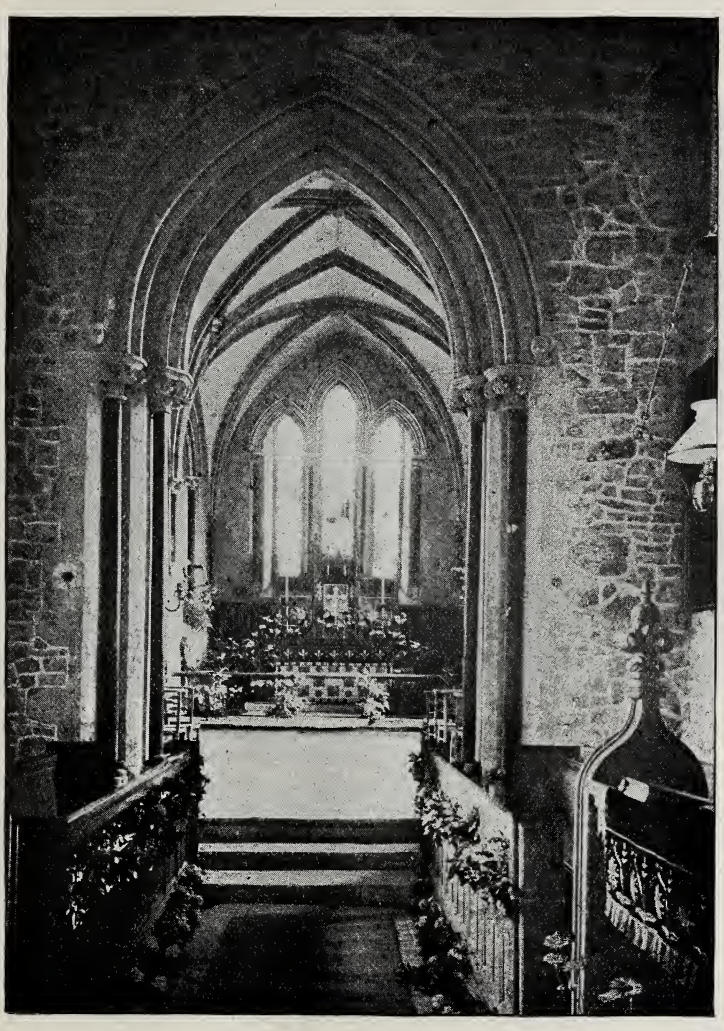
The Church of St. Mary the Virgin, Almonsbury, is cruciform, with a tower surmounted by a broached spire rising from the intersection of nave, choir, and transepts. The following extracts from the *Church-Goer*, *Rural Rides*, vol. ii., 253, 1850, will prepare us for the changes which took place in the last century: "I can recollect when the church was for the most part Norman; the arches low and heavy, and the church disfigured by a Grecian screen which blocked up the fine east window. Within the last few years, however, the whole church and chancel have been extensively repaired and altered to Early English; the east window, which is of three lights with deep recessed mouldings and disengaged columns, opened, and some good painted glass put in."—"A modern font, the gift of the squire."—"Almondsbury Church was dedicated to the Virgin Mary, and consecrated by four bishops in the year 1148."—Rudder says: "The chancel is handsomely wainscotted six feet high, with an altar-piece of Dutch oak, ornamented with fluted pilasters and capitals of the Corinthian order, and enriched with carvings and inlaid work by a good hand. The Communion-table is of grey marble about six feet long."—"In the north cross aisle, upon a raised tomb, is the effigy, as is supposed, of one of the Abbots of St. Augustin, without any inscription."—*Hist. Glouc.*, p. 224.

Lysons has given a south view of the chureh in his *Collections*, pl. xlvi., which enables us to ascertain the changes made on that side. He also gives a sketch of one of the E.E. tombs, with a human head and cross and part of the inscription: "Alothan: De: Gibenham: Virerc: De: Almvndesbvr: . . . Ame: Evt: Merci." The Bishop of Bristol suggested that the first word might be "Iohan," and Canon Bazeley thought the fourth word was "Vicarius." This tomb is in the N. transept, and there is a similar one in the S. transept. These have very wisely been brought back into the church from the churchyard.

In Bigland's *Gloucestershire Collections*, vol. i., p. 38, a view is given of the north side of the church. It appears from this that the window of the north aisle on the west of the porch is a modern insertion.

The north porch is Norman, and has a fine semi-circular headed doorway with round shafts and cushion capitals. Above the groined roof is a parvise or priest's chamber, on the chimney of which is a figure of Alcmond, from whom the parish is said to derive its name. The stairs are lighted by a very rich miniature window. In the parvise are a good chest, remains of Georgian woodwork, and part of an organ front. The nave arcades are new, and so is the screen in front of the crossing. Many of the windows seem to be original, though much repaired.

The chancel is Early English throughout, with lancet windows, some of which are quite new. The groined roof springs from brackets ornamented with conventional foliage and resting on Purbeck marble shafts terminating in human heads. Above the east window is the small window of an upper chamber. The whole appearance of the choir and presbytery

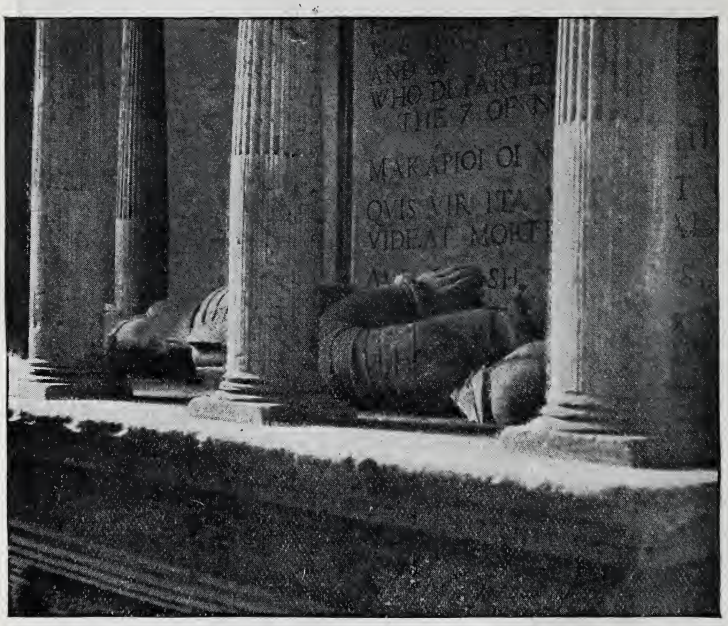


ST. MARY'S, ALMONDSBURY.

H. Ormerod, Photo.

is exceedingly good; but the restoration is so thorough that it is difficult, without careful examination, to say how much is new and how much is old.

In the S. aisle is a fine Elizabethan tomb, with stone canopy supported by six fluted columns and two pilasters about five feet high. On a slab recline the life-sized effigies of Edward Veele, Esq., and Catharine, his wife, who died in 1577 and 1575 respectively. The male figure is bare-headed, and wears enormous pauldrons, brassarts of several pieces,



VEELE MONUMENT, ALMONDSBURY.
F. F. Tuckett, Photo.

breastplate, a divided skirt of mail over trunk hose, jambs, genouillières, broad sollerets and spurs. The lady wears a Paris hood, stomacher, and small ruff, full padded sleeves, sash, and very full skirt. His head rests on a calf and hers on a wheatsheaf, crests of the Veele family. In the three panels below the slab are the figures of one male and four females, adult children of Edward and Catherine Veele, with initials. Their names were—Edward, Margaret, w. of Anthony Bradston, Elizabeth, w. of Thomas Pym, Agnes, w. of Thomas Elkington, and Susan, w. of John Large.

These Veeles were a branch of the Tortworth family, and their

pedigree is given in the *Heralds' Visitation of Gloucestershire*, 1623, p. 172. Catherine Veele was the daughter of John Holloway.

The Veele arms, as given in the *Visitation*, are: *Quarterly of Six—1 & 6, Arg. on a bend sa. 3 calves passant or*, Veele; 2, *Quarterly or and gu. in the 1st quarter a lion passant guardant az.*, Masey; 3, *Sa. a lion ramp. doubly queued or*, Kingston; 4, *Gu. 2 bars and in chief a lion passant or, an annulet for difference*, Vyel; 5, *Arg. a fesse raguly gu. between 3 annulets sa.*, Torrington. Crest: *A garb or enfiled with a ducal coronet gu.* Motto: *Face aut Tace.* Edward Veele was Lord of the Manor of Over, in this parish.

A drive brought the members to Over Court, the pleasantly-situated house of Mr. R. C. Cann Lippincott, standing in a beautiful park, which contains a herd of fallow deer.

The Manor of Over was given by Robert Fitz Harding to his third son, Robert de Were, in 1195, and it passed to his son, Maurice de Gaunt, who founded St. Mark's Hospital, now St. Mark's Chapel, Bristol, to the Gurneys, Ap. Adams, and Berkeleys. Thomas, Lord Berkeley, endowed two chantries in Almondsbury and built Over Court in 1345. The manor was confiscated by Richard III., and granted to Sir Thomas Bryan in 1485. It is said to have been sold by the Bryans to the Poyntzes, and to have passed in dowry with Alice Poyntz to the Berkeleys. John Berkeley, about 1578, sold it to John Dowel, and it remained in the hands of his descendants till 1743, when it was left to the Rev. Mr. Degge. Various persons possessed it for short periods, and in 1832 it was bought by the father of the present owner, R. C. Cann Lippincott, Esq.

Mr. Lippincott thus writes of his beautiful abode in a little guide printed for the British Association by W. C. Hemmons in 1898:—"The house is pleasantly situated in a park of considerable size. The dining-room and some of the bedrooms contain specimens of tapestry deserving inspection. Dining-room: Old Flemish (Brussels), 17th century. Tapestries by Pannemaker; subjects, Scenes from the Life of Trajan. Bedrooms: Old Flemish (Brussels), late 17th century, tapestries; subjects, Peasant Scenes in Dutch Life, after Teniers. The park has been enclosed for several centuries, and contains a herd of fallow deer, which has been maintained without interruption to the present time. The views from the hills above the house are very extensive, and the natural undulations of the ground are striking. The remains of a large round camp are said to be visible. Out of a tumulus, in 1650, two skeletons were excavated."

The Manor of Gaunt's Erdcote, which belonged in 1086 to the Bishop of Coutances and aftewards to the Gaunt family, was alienated by one of them to the brethren of St. Mark's Hospital, Bristol, who built the Chapel of St. Swithin, attached to the present home of James Inskip, Esq.

The 15th century barrel ceiling and the label mould of the East window still remain. At the Dissolution, Gaunt's Erdcote, with the Ley, was granted to the Corporation of Bristol, who let it on lease to the Groves of Wilts. It now belongs to Mr. Lippincott.

The Secretary of the Society for Bristol had written to Mr. Cann Lippincott, asking that the members of the Society might be allowed to drive through Over Court Park. Permission to do this was granted by Mr. Cann Lippincott, and he further offered to provide refreshments, though he stated that he should himself be absent. Mr. Siepmann, one of the masters of Clifton College, and Mrs. Siepmann received the members of the Society in his place.

Upon the lawn a meeting was held, and papers read on the question, "Did St. Augustine meet the British Bishops at Aust?"

The Rev. C. S. TAYLOR took up the case for Aust. He said:

All that is known, or can with any certainty be surmised, with regard to the meeting place of St. Augustine and the British bishops must be gathered from a few lines of Bede:—"In the meantime Augustine, with the assistance of King Ethelbert, drew together to a conference the bishops, or doctors of the next Province of the Britons, at a place which is to this day called Augustine's Ac—that is, Augustine's Oak—on the borders of the Wiccii and West Saxons."

Bede, then writing about 130 years after the meeting, says that the place was well known, and he gives two marks of locality—its name Augustine's or Austin's Oak, and the fact that it lay (*in confinio*) near the boundary between the Hwiccians and West Saxons.

Bede himself probably never came south of the Humber; but when he concluded his history Tatwin was Archbishop of Canterbury, who had been a monk of Bredon, in Worcestershire, and it is likely enough that it was from him that Bede obtained this information, for Canterbury was evidently the chief fountain-head of the information contained in the history.

The Hwiccians were those West Saxons who had won the battle of Dyrham in 577, annexing the territory of Bath, Gloucester, and Cirencester, and the battle of Fethanleah, in 584, carrying their frontier to the forests of Wyre and Arden, and occupying what is now the shires of Gloucester and Worcester, with the south-west part of Warwickshire. They were conquered by Penda, King of the Mercians, in 628 or 645. In the time of Augustine there was no distinction between the Hwiccians and other West Saxons; the boundary referred to by Bede, therefore, must be that which existed in his own time. At that time Bath, Tetbury, and Cirencester were Hwiccian, while Bradford-on-Avon, Malmesbury, and Ashdown, near Wanborough, belonged to the West Saxons. The boundary referred to must have been very nearly that which lies between

Gloucestershire on the north and Wilts and Somerset on the south to-day, and the place of meeting lay near to it.

With this line as a limit of locality, we consider the second indication which Bede gives—the name of Augustine's Oak. Now place names that tell of the Oak are common enough. Iron Acton, Acton Ilgar, Oakhanger in Berkeley in the low ground, Acton Turville, Oakford in Marshfield, Oakridge near Stroud, Oakley near Cirencester in the Hills, and Oaksey over the Wiltshire border in Braden, testify to the fact that in old days the acorn was one of the most common of vegetables. But we want one oak, not many, and we cannot see the tree for the forest; so we turn to the personal element in the name Augustine's Oak. and inquire whether any name like Augustine or Austin survives to this day. And we have not far to look. There, on the Severn shore, is Aust, on the eastern side of the Old Passage, at the end of a very ancient road, which led down from the hills towards Wales, and only some seven miles from the Avon, which divided the West Saxons from the Hwiccians.

But Bede said that the place of meeting bore the name Augustine's Oak in his day. Was Aust really so called 1170 years ago? And we reply confidently, Yes, it was called not simply "Aust," but "Austin"—a form yet nearer to that given by Bede. In 691 or 692, about the time when the Venerable Bede was ordained deacon, King Æthelred of the Mercians gave to Oftfor, Bishop of Worcester, land at "Heanburg" and "æt Austin," in which names we recognise Henbury and Aust. So that Aust was known as "Austin" in the lifetime of Bede, and within less than ninety years of the time when St. Austin met the British bishops. And this is not a single mention of a name that died into silence. In 794 Offa, King of the Mercians, restored to Worcester Cathedral land "æt Austan" which had been unjustly taken away, and in 929 King Æthelstan granted land "æt Austan" to Worcester Cathedral. The three charters are all accepted by Kemble as genuine, and there is no matter of doubt that they refer to the place which we know as Aust, which belonged to Worcester Cathedral in Domesday, which afterwards afforded an endowment for a prebend in the College at Westbury, and which is still in the parish of Henbury, as it was joined with Henbury in Ethelred's Charter 1210 years ago.

Aust was easy of access from Canterbury, either through Bath and Sea Mills, or through Cirencester and by the ancient way which branched off from the Foss at Jackment's Bottom and passed by Longtree Barn and Chavenage to Symonds Hall in the direction of Aust. Bede says that St. Augustine met the bishops and doctors of the nearest province (*proximæ provinciæ*) of the Britons. The West Saxons had conquered the land as far north as Bedford and Worcester and west to the Severn. The nearest unconquered Britons were west of the Severn and south of the Bristol

Avon. When, then, we find a place, which in the lifetime of Bede was called Austin, so directly on the line between Canterbury and Caerleon that a straight line drawn between the two passes through it, within seven miles of the boundary between the Hwiccians and the West Saxons, we conclude, not indeed with an absolute conviction, for that is beyond us, but with firm historic trust, that there it was that St. Augustine met the British bishops, and we say that in any case there is no other single spot in the district which can put in anything like so good a claim as Aust.

The LORD BISHOP of BRISTOL took up the claims of Down Ampney, near Cricklade. He said: Let us first be quite clear as to the statements which Bede makes on this subject. He is our only authority. If you ask where he gets his information as to what took place in the South-West seventy years before he was born in the North, he gives you the answer himself: "My principal authority and aid in this work was the most reverend and most widely-learned Abbat Albinus, educated at Canterbuy under Archbishop Theodore and Abbat Hadrian. He transmitted to me by Nothelm, the Arch-priest of London, in writing or by word of mouth, all that he thought worthy of memory that had been done in the province of the Cantwaras (Kent), as also in the regions contiguous to that province, by the disciples of the blessed Pope Gregory, as he had learned the same from written records or the traditions of his predecessors." . . . "In like manner Daniel, the most reverend Bishop of the West Saxons, who is still living, communicated to me in writing some things relating to the ecclesiastical history of that province," &c. That is Bede's own account of the sources of his information.

I feel sure that anyone who is accustomed to examine historical documents and historical evidence will say, on carefully studying the second chapter of the second book of Bede's *Ecclesiastical History*, that a considerable part of this account is taken from the written records of which Albinus sent copies to Bede. The one place where there is an indication of tradition rather than documentary evidence is at the point where Bede gives the actual number of British Bishops present at the second conference: "There came, as they assert, seven Bishops of the Britons." But even if the number and other details were only traditional, we must remember that oral tradition was the usual and natural means of transmission of facts from generation to generation in those days, and that marvellous accuracy was achieved by those whose business it was to recite the spoken record. I therefore approach the question of the place or places where the conferences were held with the conviction that every word of Bede's account must be taken as important, and no word must have its meaning forced to suit a theory.

Here, then, is Bede's account:—"Augustine, making use of the assistance of King Ethelbert"—[Ethelbert of Kent was the most

powerful of the Kings of the Heptarchy. His overlordship enabled him to secure a safe passage for Augustine and his party through the territory of the pagan West Saxons and into the territory of the pagan Hwiccians]—"called together to a conference with him Bishops and doctors of the nearest province of the Britons"—[*Proximæ Britonum provinciæ*]—"at a place which to this day is called Augustine's Oak, on the boundary"—[*In confinio*]—"of the Hwiccians"—[The people of Gloucestershire and Worcestershire]—"and West Saxons." The discussion at the conference first turned on the duty of joining in the conversion of the pagan Saxons, keeping Easter at the proper time, and so on. Towards the end of the conference Augustine proposed that, inasmuch as the Britons would not agree to his suggestions, the long and troublesome controversy should be ended by an appeal to Heaven. And this was to be the manner of the appeal:—"Let some afflicted person be brought, and let us see whose prayers shall prevail to heal him." Augustine's opponents agreed, though unwillingly, and a blind Englishman was produced. The priests of the Britons (or possibly the British Bishops, *Britonum sacerdotes*) failed to produce any effect upon the man's eyes, but at the prayer of Augustine he received sight. The Britons thereupon confessed that Augustine's teaching was the way of righteousness, but they declared that they could not abandon their ancient ways without the consent and permission of their own people. They therefore begged that a second synod be held, at which more of them could be present.

The next sentence we must have in Bede's own words again:—"When this was arranged, there came, as they assert, seven Bishops [*episcopi*] of the Britons and many very learned men, chiefly from their most noble monastery, called in the English tongue Bancornaburg, of which it is related that Dinoot was at the time abbat. Before leaving for the conference they visited a holy and prudent man who lived the life of an anchorite among them, and asked him whether they ought, on the teaching of Augustine, to desert their own traditions." You know what his advice was: "If he is a man of God, follow him." "How shall we know?" "If he is gentle and lowly of heart, accept from him the yoke of Christ, which he evidently wears. If he is harsh and haughty, pay no heed to him." "How shall we know?" "Let him get to the place of meeting first. If on your approach he rises to meet you, take him to be the servant of Christ. If he does not rise on the arrival of your party, more numerous than his, treat him with like contempt." You know, too, the result. Augustine did not rise from the chair on which they found him seated. This stirred their wrath. The conference took place, but they set themselves steadily to contradict everything he said. The possibility that there are some present who regard themselves as their descendants, warns me not to make a remark at this point on national

characteristics. Finally, and here the true ecclesiastical nature of the proposals Augustine had laid before them comes out, they refused to accept him as Archbishop. The province of Canterbury was not to include the churches of the Britons; the British Bishops were not to become suffragans of Canterbury. These were truly important proposals and important results. The place, or places, of such conferences must be regarded as well worthy of the most careful investigation.

The three topographical statements which Bede makes in describing the place of the first conference are these:—First: the Britons were those of the nearest province of the Britons; nearest, that is, to Canterbury. The state of the roads at the time makes that mean the nearest to London, by way of which town Augustine must perforce travel. That is only incidental. The point is—it was the nearest province of the Britons, not a more remote province. Secondly: it was not at any recognised centre or established settlement of people. It was at a spot which took its name from the event—Augustine's Oak. Thirdly: it was on the boundary of the Hwiccians and West Saxons, *in confinio*, not *inter fines*, or any vague phrase of that kind; a very definite word, contrasted with *vicinitas*. Now, what were at that time the provinces of the Britons, and which of them was nearest to Canterbury? There were the North-West Britons, holding Cumberland, Lancashire, Cheshire, and those parts; there were the West Britons, holding what we call Wales; and there were the South-West Britons. These were the provinces of the Britons as known to Bede as existing in his time, and known to him as a historian as existing in much larger dimensions at the time of Augustine's conference. Which, then, of them was the nearest province? The Cumbrian Britons are out of the question. There remain the other two. As the crows fly, it is some 160 miles or more from Canterbury to the nearest point of Monmouthshire —that is, the nearest point of the province of the Britons of Wales. How far was it to the nearest point of the Britons of the south-west—the Damnonian Britons? We are speaking of a time fifty years before the battles of Bradford-on-Avon and Pens on the Parrett, which enabled the West Saxons to break through the great forest, Selwood. Up to that time the forest formed the impenetrable eastern boundary of the Britons of the south-west. It included in its northern parts Bradford and Malmesbury, and ran up to Cricklade, on the head waters of the Thames. Even so late as the time of Charles I., Selwood Forest was counted as running up to Cricklade. Malmesbury itself was a great British stronghold, and at times the residence of British kings. It was also an ecclesiastical centre. We may take it that the eastern boundary of the South-West Britons ran in a line S.S.W. by S. from Cricklade, or a point a mile or two S.W. from that place, to the coast of the English Channel. Now, as the crows fly, that border is nearer to Canterbury than the border of Monmouth by 35 miles.

That is to say, the South-West Britons were by 35 miles the nearest province of Britons to Canterbury. Further, their border ran for a very large number of miles at much the same distance from Canterbury, whereas only one point of Monmouthshire was within 160 miles of Canterbury, and the rest of the border of the Britons of Wales rapidly receded. Bede tells us that it was the Britons of the nearest province that Augustine met. It was, therefore, the South-West Britons, and not the Britons of Wales, who came to the first conference. This is still further emphasised by the facts that at that conference the Britons said they could not act without further consultation, and that to the second conference a large number of important persons came from Wales itself. It is a further point that these Welsh Britons had not been at the first conference, because they had certainly not met Augustine, for they did not know what manner of man he was, whether gentle or stern. On every account it seems to me clear that at the first conference Augustine was dealing with the South-West Britons, and not with the more remote province of the Britons of Wales. Secondly, the place of the conference was not a well-known place with a name and a purpose. My whole intention is constructive, not destructive; but I will just note in passing my conviction, based on many years' close study of Bede, that if it had taken place at the head of the ferry, Bede would have said, not "at a place," but "at that most celebrated trajectus." Further, I will ask here this abstract question: If a nameless place took a name—which was still in common use 130 years after—from an oak-tree, is it, on the face of it, more probable that the district was one which swarmed with oaks, or one so unfavourable to the growth of oaks that practically there was not another oak in the neighbourhood? My own opinion is that the abstract argument is in favour of a solitary oak, not a mere unit among hundreds of oak-trees. Now, you all of you know how oaks abound about Oldown. I shall return to this point later.

The third characteristic of the place is, that it was on the boundary between the Hwiccians and the West Saxons. On the destructive side, I must say in passing that neither in Augustine's time, to which time, if Bede is here quoting—as I believe he is—from a written record, the definition certainly refers, and, if he is not, as probably as not refers, nor in Bede's own time, was it true that Aust stood on the boundary between the Hwiccians and the West Saxons. Take it at its best for Aust, you can only say that Aust was not many miles away from the Bristol Avon, to the south of which the West Saxons were at a later period, the Hwiccians occupying the northern bank. It is a very slender thread on which to hang the whole of a great theory; and even if the case is fairly arguable, we shall see with what perfect accuracy the rival place fulfils this fundamental condition. One more remark before leaving Aust. You know,

of course, that there are many guesses and supposed traditions about the place of the conference, all, as far as I can see, based on the assumption that the conference took place with the Britons of Wales, and that a place safe and convenient for them must have been provided. This accounts for the supposed traditions in favour of some site in the Forest of Dean, or even far up the Severn in the direction of Shrewsbury. Aust is the one guess based on this erroneous assumption, which does least violence to the condition that the place was on the boundary between the Hwiccians and the West Saxons.

Let us now turn to the boundary. I have written at some length on this subject in the *Transactions* of the Clifton and the Wiltshire Antiquarian and Archæological Associations. Wherever it was or was not, at one time or another, it is safe to say that the most certain and the most abiding line of boundary was that between Gloucestershire, representing the Hwiccians, and the eastern half of North Wilts as representing the West Saxons. Into the territories of the Hwiccians the Britons could safely come, but into the territories of the West Saxons they could not. They had made alliance with the Hwiccians some years before Augustine's time, and with their help the Hwiccians had won their independence of the West Saxons. The Britons who made this alliance and gave this help were, as it seems to me, the South-West Britons in the Selwood parts, and not the far-away Britons of Wales. The South-West Britons could circulate freely throughout their own territories, which stretched from the Land's End to a mile or two south-west of Cricklade. Their representative ecclesiastics could safely assemble in their own stronghold at Malmesbury. They could emerge thence in perfect safety, and with only some twelve miles' walk at the outside present themselves at the most convenient spot in the whole of England for Augustine to meet them. He came westward from Canterbury to London. Thence he most probably took the Roman roads by Silchester and Wanborough to the point where the Ermine Way crosses the boundary between the Hwiccians and the West Saxons at or close by the ford or bridge of the head waters of the Thames at Cricklade, the most convenient spot in the whole of England for the South-West Britons to meet him. Or he might—as the West Saxons in the course of their earlier conquest did—cross the Thames lower down, and proceed westward for some distance on the north side of the river. But, in any case, subject to the clear definitions of Bede, for him and the Britons alike all roads led to Cricklade. Of many and very interesting problems of topography and history conjoined, I cannot call to mind any one which brings out so overwhelming a convergence of indications upon one spot. I may add that at Down Ampney, two miles from Cricklade, just on the Hwiccian side of the boundary, there is a farm called The Oak. Lord St. Germans informs me that it bears that name in

his papers as far as they go back; but that is not very far; it was Hungerford property in earlier times. A great oak, from which it is supposed to have taken its name, was cut down by the steward in the time of the grandfather of the present owner, whom the destruction of the ancient tree greatly annoyed. Mr. Martin Gibbs, who gave me the first information I received about the Oak Farm, has found the roots of the old tree in the stack yard. It is not unimportant to note that oaks obstinately refuse to grow in those parts, so that a great oak was in itself a very remarkable and noteworthy feature, in the highest degree likely to give its name to the place of a conference which was held under its shade. It is an interesting fact that only two fields off the old oak of the Oak Farm there is a spring of water famous for its property of healing diseases of the eyes; there may well be some connection between this traditional efficacy and the story related by Bede that Augustine gave sight to a blind man at the first conference, in proof of his mission and power. The spring flows now into a clear brook; but the old people still send to it for water for their eyes; they call it the "lertle well," and the field they call the "lertle nook ground." My early familiarity with Yorkshire dialect suggests that "lertle" means "little." Other water in the neighbourhood is still used for bathing weak eyes; there is one such spring in Fairford parish, and another at Hannington. It is tempting to suggest that in the epithet "lertle" we have an exceedingly old Saxon word, the origin of the word "little" meaning tricky, deceitful. It will be a very curious result of these investigations if it turns out that from the trick performed for the astonishment of the Britons, a trick known to the pagan Saxons on the spot at the time, the well near to Augustine's Oak has ever since been called "the well of deceit." It is quite probable that Augustine was himself deceived by the English blind man, and used in all good faith the water famous in the neighbourhood for its efficacy in diseases of the eye, not explaining to the Britons the reputation of the well. It should also be noted that at the cross-roads where the direct road from Cricklade to Malmesbury is cut by the road due south from Cirencester there is the Gospel Oak Farm, named from a famous oak which perished long before the memory of the oldest men, under which, as tradition still tells, some people met in ancient times for some religious ceremony. It is about three miles from Cricklade and eight from Malmesbury, a very likely place for the second conference, the British doctors having assembled at Malmesbury in response to the call for larger numbers.

I find that modern opinion is moving rather markedly in favour of the view I have presented. Mr. J. R. Green, in his *Making of England*, p. 224, note, says that for the place of conference we must look "to some such place as the later Malmesbury, near to this border (between the Hwiccas and West Saxons), yet still British ground." Mr. Plummer, in his

admirable edition of Bede's *Ecclesiastical History* (Book II., chapter 2), published in 1896, points out the importance of the phrase, "the nearest province of the Britons," as suggesting that the Britons of the South-West may have been those who were invited to the first conference. Further, he quotes from a letter sent to him by Mr. Moberly, making the suggestion that the spot called "The Oak," in Down Ampney, near Cricklade, may have been the place of the interview, and mentioning a spring close by, still thought to be a curative of weak eyes. Mr. Hutton, in a recent primer, names Down Ampney as a probable place of the interview. Mr. Willis Bund, in his very interesting *Celtic Church of Wales*, calls attention to the words of Bede, *proximæ provinciæ*, "of the nearest province"; but as he had only Wales in his mind, he makes it relate to South Wales as compared with North Wales. He quotes Bede as saying *maximæ et proximæ provinciæ*, for which reading I do not find any authority.

When the Welsh Britons came to the second conference, most of them from Bangor (not episcopal Bangor), I have little doubt that they did not come by Aust. They would more probably come down the Severn till they reached the friendly country of the Hwiccas, and so by Gloucester to Cirencester. Only the most southerly would come through the later Monmouthshire and so to the Trajectus Augusti, Aust Ferry.

Alderman Fox said it might be interesting to know that a poem published in the 16th century had references in it which favoured Aust as the meeting place.

A paper was to have been read by Mr. James Baker on "Wycliff and Aust," but on account of the time it had to be postponed.

Afternoon tea was offered to the members in the fine dining-room, which contains valuable specimens of old Flemish tapestry of the 17th century. The fine tapestries of late 17th century in the bedrooms were also inspected and admired.

On the proposition of Alderman Fox, seconded by the BISHOP of BRISTOL, a vote of thanks was passed to Mr. Lippincott for his hospitality.

A drive through the pleasant country brought the party to the church of Westbury-on-Trym, which is not only one of the most beautiful in the shire as regards its fabric, but is without doubt the most interesting of all our Gloucestershire parish churches, if we consider the history of its foundation and the subsequent changes of ecclesiastical status through which it has passed. It has a longer continuous history than any Gloucestershire church, except the cathedral at Gloucester; it was a cathedral before the churches of Gloucester and Bristol; it was a monastery before Deerhurst or Tewkesbury or Winchcombe; it was the earliest Benedictine monastery in England, the house which others followed. It has been during the eleven centuries of its existence a

HOLY TRINITY, WESTBURY. SOUTH VIEW.

Kindly lent by J. W. Arrowsmith.

missionary centre, a house of canons of the old English fashion, a Benedictine monastery, a house of secular canons, for a short time a bishop's see, and, finally, a plain parish church such as we see it now, sadly impoverished with regard to worldly wealth, but rich in an inheritance of noble memories, such as no parish church in our shire, and very few in all England, can claim. The charter still exists by which Offa, c. 793-796, granted fifty-five cassates at Westbury to his thegn Ethelmund; it was witnessed by Hygebert, Archbishop of Lichfield, and Ethelheard of Canterbury, the former name coming first. But we first hear of a church at Westbury in 804, when Ethelric, son of Ethelmund, left his land at Westminster and Stoke to his mother, Ciolborga, for her life, with reversion to the cathedral at Worcester. Probably, however, the church had been in existence for nearly a century; for about ten years before Ethelric's disposition Offa had restored to Worcester Cathedral land at Westbury which King Ethelbald had given to Eanulf, to be held free from secular burdens so long as the Christian faith remained among the English. Eanulf founded a monastery at Bredon about 715, and very likely Westbury Church dates from the same period. The monastery at Berkeley claimed Ciolborga's estate at Westbury; but in 824, in the most largely-attended synod recorded in the history of the English Church, it was adjudged to Worcester. The cathedral, however, did not obtain possession of Stoke Bishop till 883, when by a charter, witnessed by King Alfred himself, Ealdorman Ethelred confirmed the estate to the Mother Church of the diocese. In 961 S. Oswald was consecrated to the See of Worcester. He had served as a Benedictine monk at Fleury, and he determined to introduce the system into England. He did not venture to interfere with the great monasteries of the diocese, but he recalled Germanus from Fleury, and set him to instruct a company of faithful Clerks at Westbury. So for nearly ten years the old system continued in the cathedral and the great minsters, and the Benedictine system was confined to Westbury. In 969 the change came, and by the direction of King Edgar it is said that more than forty monasteries were founded on the model of the one at Westbury. In 974 the brethren seem to have been removed to Ramsey, and nothing more is heard of the church for more than a century. It had been utterly laid waste, and had fallen into the hands of the King, but was restored by the Conqueror to St. Wulfstan, Bishop of Worcester. This good prelate "restored" (*studui reparare*) St. Oswald's Minster; it is not probable that any part of that older church now exists above ground, but the round pillars of the nave, resembling as they do those at Gloucester and Tewkesbury, built about the same time, are, no doubt, St. Wulfstan's work. His charter of endowment is dated September 8, 1093. Bishop Sampson, who succeeded, made Westbury

Church independent of the cathedral, and placed canons there, but Bishop Simon brought back the monks and subjected it to the cathedral again. At last, in 1288, Bishop Godfrey Giffard made the church finally independent,

SOUTH AISLE, WESTBURY.

H. Ormerod, Photo.

placing there a College of Canons, supported, however, by a very scanty endowment. It was as a canon on Bishop Giffard's foundation that John Wycliffe was connected with the Church of Westbury. He was appointed to the prebend of Aust on November 6, 1375, but there is no evidence that

he was ever admitted to the prebend which a fortnight later was given to another person. It is probable that the arches above the Norman pillars in the nave, together with the sedilia and the doorway in the south aisle and the windows in the west end of it, date from Bishop Giffard's time. On March 22, 1444, John Carpenter was consecrated to the See of Worcester. He was a native of Westbury, and he made the church what it is. In 1447 he pulled down the collegiate buildings, and rebuilt them on a much larger scale, surrounding them with an embattled wall The portions of the church which date from his time are the tower, the side windows of the aisles, and the chancel, which is planned on a scale relatively much larger than that of the older portions of the church. From 1469 to 1474, William Canynges, who had been fives times mayor of Bristol, and who had added the clerestory of St. Mary Redcliff, was Dean of Westbury. The south aisle of the chancel is known as Canynge's Chapel or Chantry. Bishop Carpenter, who very much increased the endowment of the college, died at Northwick, near Worcester, in 1476, and was buried on the south side of the chancel at Westbury. On the walls of the tomb were found, in 1854, a representation of his funeral procession, and his figure stands in a niche on the west face of the tower. He styled himself "Bishop of Worcester and Westbury," a step probably taken with a view of providing a throne for the bishop in a church near to Bristol. The appointment of William Canynges as Dean was very likely made with the same idea in mind. He tried to found a See for Bristol. The later history of the church is soon told. On September 7, 1534, the Chapter acknowledged the King's supremacy. On February 8, 1544, they surrendeıed their house, and during the Civil Wars the buildings of the college were burned down by Prince Rupert's orders, lest they should fall into the hands of the enemy—an act of barbarism for which there was no justification.

The Church of St. Peter and St. Paul, the Blessed Virgin Mary, and the Holy Trinity, Westbury, consists of nave with clerestory, north and south aisles and south porch, chancel with south aisle and vestries, &c., on the north, and west tower.

The south aisle is of the 13th century and the arches of the nave are Transitional Norman. The Early English work includes a large three-light window at the west end of the south aisle, three sedilia and a piscina in the south wall, three corbels at three of the angles of the earlier roof, each consisting of two very small shafts supported on foliaged brackets, and a rich south doorway with elaborate mouldings, caps with conventional foliage and four Purbeck shafts. Over the doorway is a large niche. The 15th century porch is of two storeys with a parvise. On the stairs is a door opening into the porch on a level with the top of the Early English arch. This seems to have led into a gallery over the door which

was used perhaps for betrothals and also on Ascension Day, when the 24th Psalm was sung antiphonally by sections of the choir outside and inside the church. A similar gallery exists at Weston-in-Gordano, Somerset.

The 15th century work remains uninjured. The tower is of four stages with a rich angle turret over the south-west staircase. The upper windows are of two lights with peculiar tracery. Niches remain over the west door and the west window; the latter with a seated figure of an ecclesiastic, Bishop John Carpenter, the 15th century restorer, or St. Wulfstan. The head is modern. The chancel ends in a three-sided apse. The rood-loft

SOUTH AISLE, WESTBURY.
H. Ormerod, Photo.

had two staircases built out from the south aisle of the chancel and the north aisle of the nave.

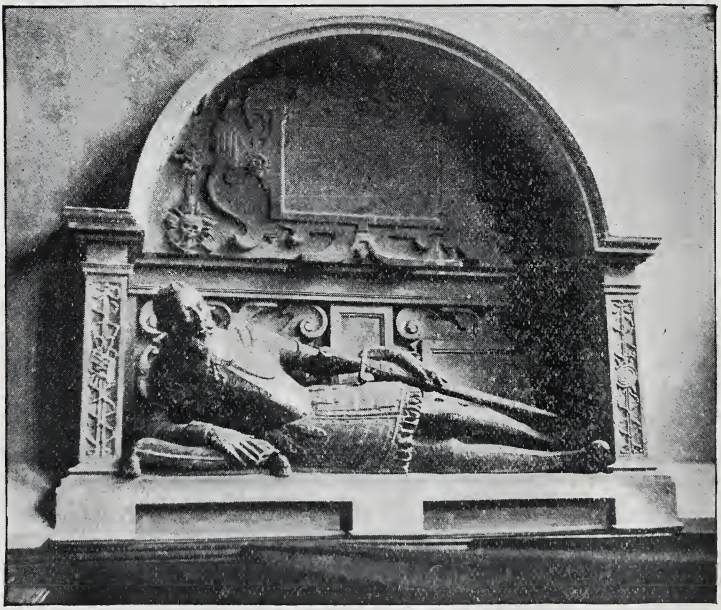
No ancient woodwork or glass remains, but in the heating chamber, where the original tomb of Bishop Carpenter remains, are some rich fragments of a reredos which should be more carefully preserved. One such fragment with a female figure seems to have been used as a corbel in the south wall of the south aisle.

It appears that the Early English church consisted of a nave [the present south aisle] and a north aisle, and that the church was reconstructed by Bishop Carpenter and William Canynges in 1473—1476 as we now see it. From the position of the piscina in the south wall it is evident

that the floor of the east end of the south aisle was much higher in the 13th century than at present.

William Canynges died in 1474. His body lay for a time in Westbury Church, and was then removed to St. Mary Redcliffe. Bishop Carpenter died in 1474, and was buried at Westbury. On the walls of his tomb, beneath the chancel, were found in 1852 a representation of his funeral procession from Northwick to Westbury. His effigy, representing a cadaver, or corpse, now rests on the south of the high altar, in an elegant raised tomb provided for it by Oriel College, Oxford, over which he presided as provost. There are similar effigies of Paul Bush, first Bishop of Bristol, in his cathedral, and of Bishop Wakeman, first Bishop of Gloucester, at Tewkesbury Abbey.

At the east end of the north aisle of the church is the effigy of Sir Richard Hill. The knight rests on his right arm within an arched tomb. He is bare-headed, and has a long moustache and beard. His hands also are bare, and rest, the left on his sword and the right on a cushion. The shoulders are protected by large pauldrons. The sword has not the modern guard hilt as we might expect it to have in 1627. The breastplate is long-waisted, and projects at the lower end. Over the trunk hose are



TOMB OF SIR RICHARD HILL.

F. F. Tuckett, Photo.

tassets; *i.e.*, overlapping plates riveted together and rectangular. Beneath the tassets may be seen the escalloped border of the lining. The legs are protected by steel armour, and on the feet are broad sollerets.

The classical ornamentation of the tomb is very good, though disfigured, as we frequently find in the 17th century, by grotesque skulls. I think the effigy must have been carved in the lifetime of the knight, as the style is somewhat earlier than the date of his death. The inscription is as follows:—"Here under lyeth the bodie interred of Sir Richard Hill, of Redland Court, in this Parish, Knight, who deceased the 29th day of May, in ye yeare of our Lord God 1627, aged 70 years." The monument formerly stood on the north side of the north aisle, and was removed in 1866. On a bracket to the right of this tomb are Sir Richard's mantled crest and his arms:—*Quarterly 1st and 4th gu. a saltire vaire between four mullets arg.; 2nd, sa. a bend or between six hurts; 3rd, gu. a lion rampant or debruised of a bend ermine.* A funeral helmet hangs beneath.

To the left of Sir Richard Hill's tomb, within an arched canopy attached to the wall, is the kneeling figure of a lady in the dress of the latter part of the 16th century. She wears the Paris head-dress, with a close-fitting cap and a large ruff. Beneath the ruff is a partlet, or high collar, and on the full sleeves are epaulets. She has a long-bodied stomacher peaked at the waist, and a full-padded skirt. The inscription is almost illegible; but Mr. H. Ormerod, of Westbury, has sent me the following:—"To the eternal memory of his deare mother, M. Rose Large, widdow, daughter to William Cock, of Hampshire, Gent., who, having lived virtuously 80 years, departed most holy to God, August 29th, 1610." The Large family resided at Stoke, and, as we have seen, intermarried with the Veeles of Over.

Mrs. Large's arms are on a shield above the tomb.

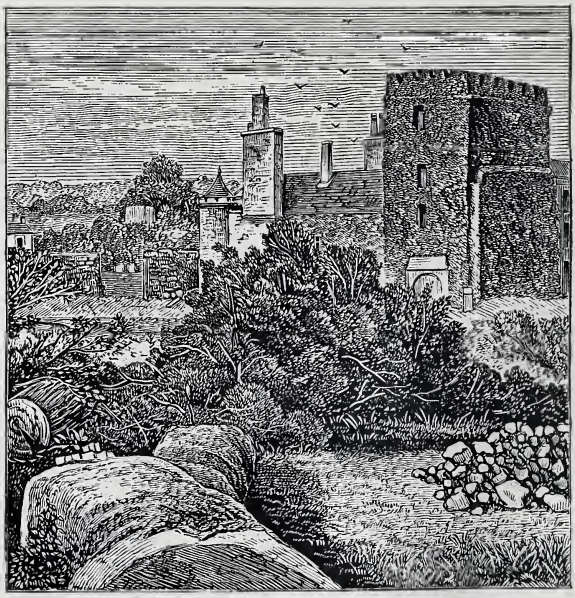
To the north-west of the church are the remains of Westbury College: the square tower built over the gateway, a circular tower, and a portion of the connecting wall. There are portions of two other circular towers, indicating that the building, before its destruction by Prince Rupert, was square, with four corner turrets, a gateway in the centre of the south side, and a large open court.

The Gate House of the College with the surrounding ground was purchased by a Committee which was formed for the purpose on November 5th, 1893, of which Mr. Alfred Shipley was Chairman, Mr. C. W. Savage, Treasurer, and Mr. A. E. Hudd, Secretary. The Committee raised a sum of between Four and Five Hundred Pounds, increased later by a further amount of Three Hundred Pounds or more given by Mr. Shipley. The buildings were repaired under the direction of Mr. T. S. Pope, and the whole placed under the care of Trustees appointed by the Subscribers. The Trustees later granted a lease of the property to

the Parish Council, who use the rooms for their meetings, and keep the place in repair. If the Committee had not taken the matter in hand there is little doubt that the buildings would have been pulled down.

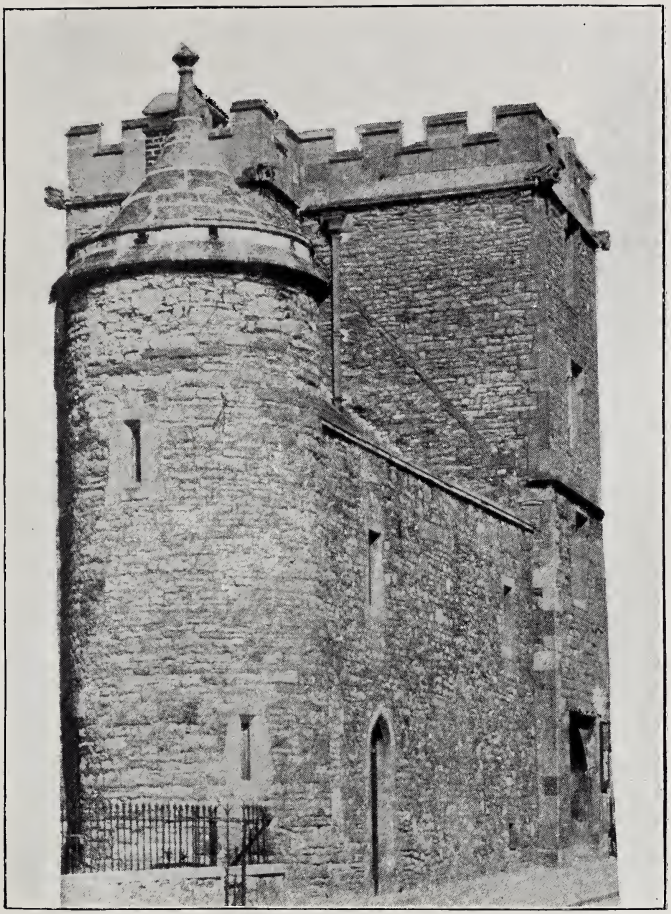
The VICAR (the Rev. H. J. Wilkins) received the party, and thanked the members for coming. He said he thought in their notes they had placed the date of the church rather earlier than was generally accepted, and he should like some information on that point, and also as to where Bishop Carpenter was buried. With the development of the parish round Redland Vicarage and Redland Green Chapel, he hoped they would be able to carry out in the future the complete restoration of the church.

The Rev. C. S. TAYLOR said there was no church in the county whose history was so varied and so long; not even the Cathedral at Gloucester had a history so varied. Concerning the date—715—which he had suggested, it was more or less a matter of conjecture. The earliest date they had



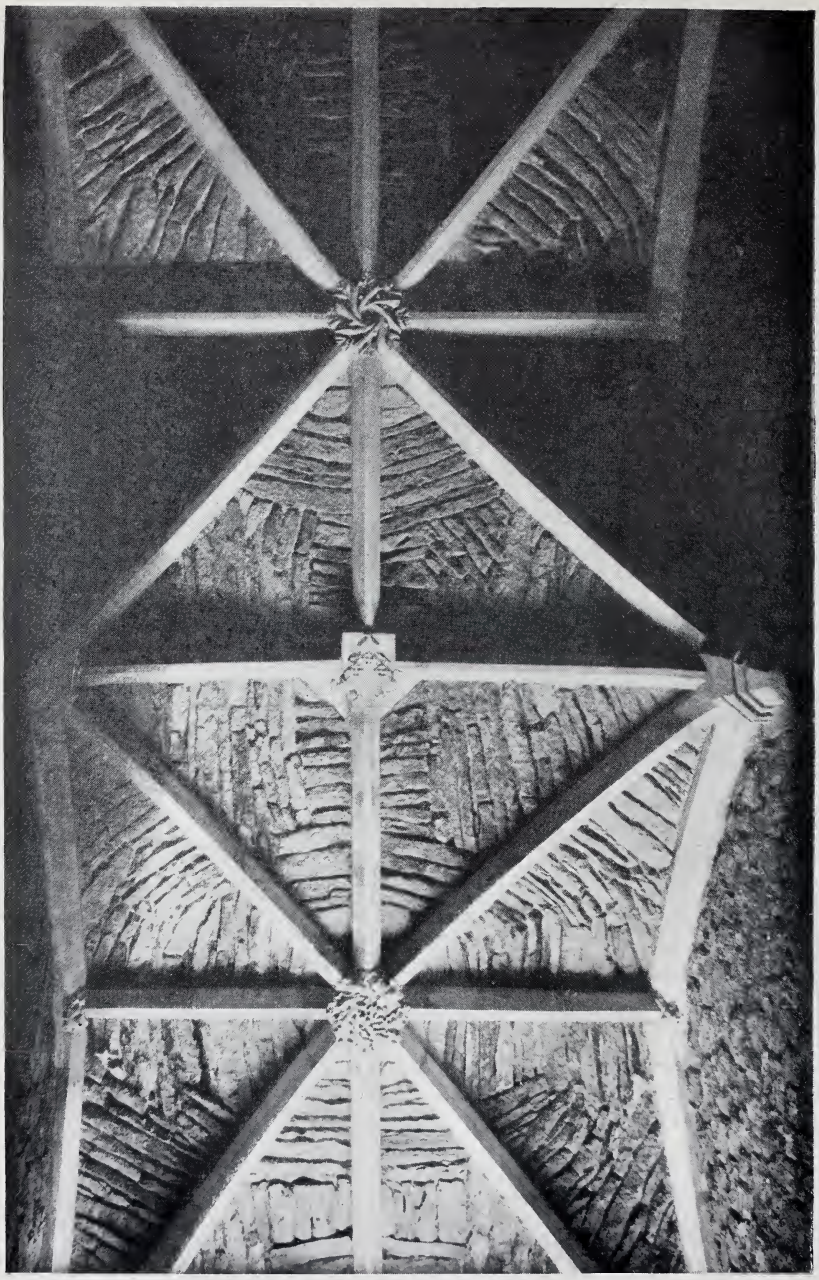
WESTBURY COLLEGE.
Lent by J. W. Arrowsmith.

was 794, when they were told the land was granted to Ethelmund. Eanulf, however, had founded a monastery at Bredon in 715, and there was every reason to believe that he founded the same form of religious house there which existed in 794, and was spoken of as still existing



WESTBURY COLLEGE.

From a photo by Henry Ormerod, M.R.C.S.



GROINED CEILING OF THE GATE-HOUSE, WESTBURY COLLEGE.

From a photo by Henry Ormerod, M.R.C.S.

and called "West Minster." He thought there was very little doubt that that ancient monastery was where the nave of the present church stood. The pillars of the nave were supposed to be Norman, and were, no doubt, St. Wulfstan's work, who restored the church in 1097, on the site of the church of St. Oswald. With regard to the resting-place of Bishop Carpenter's body, he would make inquiries of a gentleman who was curate at the time the restoration took place. The reasons, he thought, why Bishop Carpenter styled himself Bishop of Worcester and Westbury was, first, as a check to the monks at Worcester; and, secondly, because he wished to bring the Bishop to his own collegiate church close to Bristol.

The Rev. Canon BAZELEY said Mr. Ormerod, who took a great interest in the matter, showed him a plan drawn by the late Archdeacon Norris, in which he believed that the present north aisle was the nave of a former church. He thought the pillars in the nave were later than 1097; for both they and the aisles had characteristics of Transitional work, passing from Norman into Early English seventy or eighty years later. The church was full of interest, historically and architecturally.

Some of the members inspected the monastery, under the guidance of Mr. Alfred Shipley.

The members returned to Bristol about 6.30, having spent a most enjoyable day.

The members who took part in the excursion were greatly indebted to Mr. H. A. Prothero for his assistance in reading the architectural history of the churches; to Mrs. Bagnall-Oakeley and Mr. F. F. Tuckett for their notes on the effigies; to the Editor for his historical notes on Westbury; to Mr. Arrowsmith for his loan of the Westbury blocks from *Bristol: Past and Present;* and to Mr. H. Ormerod, Mr. W. Moline, Mr. F. F. Tuckett, and Mr. M. Lavington for the excellent photographs they have given. The President of the Society, Mr. F. F. Fox, had most kindly been twice to Winterbourne and Almondsbury, and once to Westbury, and had been unremitting in his attention and hospitality. Our excellent Secretary at Bristol, Mr. J. E. Pritchard, F.S.A., had arranged the visits, and had rendered help in every possible way, and it was to him most of all that the marked success of the meeting was due.

With regard to the place of burial of Bishop Carpenter, the Editor wrote to the Rev. W. B. de Moleyns, Prebendary of Wells, and late Vicar of Burrington, who was curate of Westbury-on-Trym from 1847 to 1853, and his letter is given below. The passage in Mr. Pryce's book referred to is as follows:—

"During the progress of the restoration which this church has recently undergone, the burial place of the Bishop was discovered, in the month of September, 1852, beneath the floor, and immediately under the tomb

upon which reposes the cadaver just spoken of. Upon the wall above the cist once containing the body (of which nothing remained) appeared to be represented in colours the funeral procession of the good prelate. It commenced with the cavalcade leaving the city of Worcester, &c. . . . Close to the recess on which this painting was seen, and at its east end, is a piscina, and a door of entrance (built up) from the exterior of the structure, beneath the east window of the chancel, which would lead to the supposition that this underground apartment or crypt was originally a mortuary chapel."—*The Canynge Family and their Times, &c.*, Geo. Pryce, 1854; cap v., § 7, p. 167.

"Burrington Vicarage,
"Burrington, near Bristol,
"*June* 10*th*, 1901.

"DEAR MR. TAYLOR,—It is not easy to recollect the circumstances of a church restoration which took place 49 years since, particularly since I have had to do with two restorations besides. I can, however, certify that Bishop Carpenter's body was not disturbed in 1852. Such an event as its removal could not have occurred without my knowledge. Indeed, my impression is that the tomb was not then opened, despite the statement of George Pryce, 1854. The committee of restoration were very practical men, whose object was to repew and refloor the church, and they had only enough funds for these purposes. I left the parish in 1853; perhaps afterwards the work referred to may have taken place. A Mr. Norton was the architect—young, but very capable. He may be alive yet, and if so his testimony would be valuable.

"In the restoration of the church here, I kept a record of all the work and the meetings held. It is possible that this was done by the Westbury committee. I was not on it, but the late Frank Savage was, and his executors, possibly, may find some papers on the subject, or the representatives of the late Rev. J. Heyworth.

"I am sorry I cannot throw a clearer light on the subject.

"Yours very truly,
"W. B. DE MOLEYNS."

Bristol and Gloucestershire Archæological Society.

STATEMENT OF RECEIPTS AND EXPENDITURE FOR 1900.

RECEIPTS.

	£	s.	d.
Balance in Bank	416	11	3
Annual Subscription, 1897... ...	0	10	6
,, ,, 1898... ...	2	2	0
,, ,, 1899... ...	26	5	0
,, ,, 1900... ...	150	3	0
Life Subscriptions	20	0	0
Entrance Fees	14	3	6
Donation	2	2	0
Sale of *Transactions*	12	16	9
Consols' Dividend	20	0	6
	£664	14	6

EXPENDITURE.

	£	s.	d.
Printing *Transactions*	173	1	0
Miscellaneous Printing	6	19	2
Library	31	11	1
Petty Disbursements	22	9	6
Cheques outstanding last Balance	4	4	0
Bank Balance	426	4	10
In Treasurer's Hand	0	4	11
	£664	14	6

G. M. CURRIE,
Treasurer.

October 24th, 1901.

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Bristol and Gloucestershire Archæological Society.

PROCEEDINGS

At the Annual Summer Meeting,

At Chipping Campden,

August 20th, 21st, and 22nd, 1901.

The weather was fine, and the party, which numbered about seventy, met in the morning at Evesham. Amongst those present were Bishop Brownlow, the Earl of Gainsborough, Alderman F. F. Fox, the Revs. Canon Bazeley, J. Silvester Davies, M. C. Howell, J. E. Bartleet, R. Smith, J. C. Jennings, H. B. Heberden, and C. S. Taylor; Messrs. F. F. Tuckett, W. St. Clair Baddeley, W. E. Baxter, A. E. Hudd, F. Were, C. H. Dancey, Kennedy Skipton, H. A. Prothero, John E. Pritchard, C. Bowley, F. J. Cullis, C. J. Lowe, A. E. Gael, Louis G. Dease, J. Llewellin, H. Crooke, E. J. Charles, J. Adams, J. Parker, E. M. Witchell, Dyer Edwards, T. Sherwood Smith, C. Scears, J. Baker, and Walter Stanton.

The following gentlemen formed the Local Committee, and rendered most excellent service:—Edgar Flower, Esq. (Chairman), Rev. C. O. Bartleet, M.A., W. S. Barrett, Esq, Rev. A. M. Coxwell-Rogers, M.A., Rev. T. Carrington, A.K.C., Commander Carrow, A. H. Gordon-Duff, Esq., A. A. Grosvenor, Esq., M.D., A. V. Grohegan, Esq., M.D., Rev. W. J. Guerrier, M.A., Rev. Canon E. J.

HOUGHTON, M.A., PHILIP HOWARD, Esq. (of Corby), Viscount LIFFORD, Rev. PHILIP LEWIS, F. D. MILLET, Esq., Rev. G. M. MASON, B.A., J. R. NEVE, Esq., *F. B. OSBORNE, Esq , Rev. W. A. PIPPET, F. G. ROBERTS, Esq., *M. STANLEY, Esq., C. H. SMITH, Esq., Major W. WRIGHT, H. WIXEY, Esq., *LOUIS GEORGE DEASE, Esq. (Hon. Local Sec.).

The first visit was to the two historic churches which are associated with the name of Evesham.

Of the great Abbey of Evesham there now remains only the charming group of buildings in and around the Churchyard or Close; Abbot Reginald's gateway to the north towards the town, flanked by the old Vicarage; the great bell tower to the east; the scanty ruins of the Abbey buildings to the south; and in the middle, side by side, with only one great chestnut tree between them, the two churches of All Saints' and St. Lawrence. The Abbey Church, one of the great churches of England, with a central tower built by William de Stowe in 1319, and adorned with rich fittings in the time of Abbot Lichfield, 1513—1539, has wholly disappeared, and its site, a hundred years after the Dissolution, was "a huge heap of rubbish overgrown with grass." [1]

The whole place, so lavishly added to by Lichfield, is a curious testimony to the fact that the suppression was utterly unexpected, and that the blow fell on a still growing institution.

That a great abbey should have *two* secular or parochial churches connected with it was not unusual. The group at Bury St. Edmunds, like that at Evesham, retains with its gateway tower two parochial churches.

Of the two churches, All Saints' is the larger and more architecturally varied. It consists of a west porch, west tower, nave, aisles, transepts, Lichfield chapel, chancel, and vestries. Outside the most unusual feature is the very rich sixteenth century west porch, with entrances north and south, a fine moulded west window, and very high open parapet. The tower is small, with an elegant spire.

On the west gable of the north aisle is a niche with a figure. Inside the porch is a good flat roof of moulded oak rafters, and in the middle an exceedingly fine oak boss, on which are carved the crown and thorns and the five wounds on the heart, the hands, and the feet; the design adopted soon after as the badge of the Pilgrimage of Grace. Over the door is a very delicate Perpendicular niche.

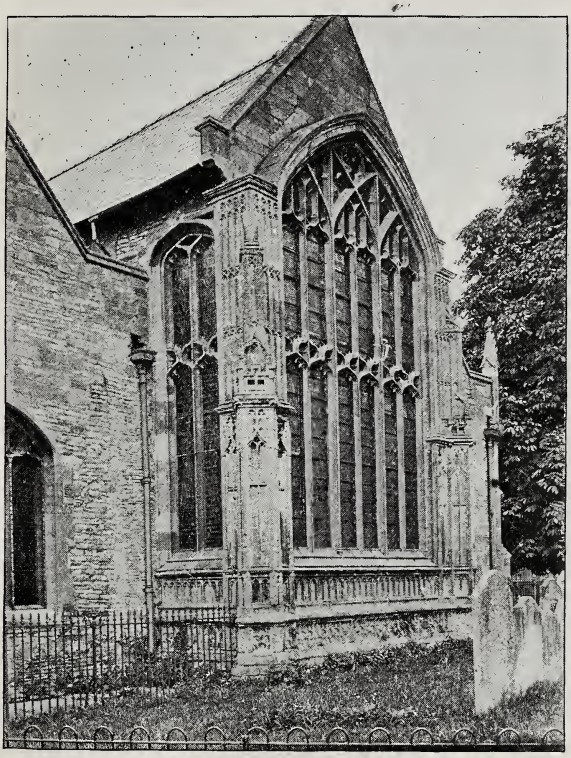
The church, about 130 feet long by 73 feet at its widest part, has an

* Members of the Executive Committee.

1 Habingdon.

early arch opening into it from the porch, on the north side of which is a stoup.

The nave of four wide bays is divided from the aisles by a continuous arcade to the south, and three arches with a break and a transeptal arch on the north; above which is a low clerestory with quatrefoil windows, and the whole is covered by a tie-beam roof. The aisles are wide, with reticulated windows. Of the contents of the nave and aisles there remain



EAST END OF ST. LAWRENCE'S CHURCH, EVESHAM.

a niche with a headless figure on the north-west pillar; a very rich piece of decoration, much mutilated, in the south-east corner of the north aisle, consisting of a small and delicate stone triptych, with a two-light opening over it; an aumbry in the north transept; and a good font.

The chancel is much modernised and of little interest. The great feature of the interior is Abbot Lichfield's Chantry Chapel of Our Lady and St. Ecgwine. The very gorgeous roof of fan tracery is worked in

two circles, two semi-circles, and four quarter-circles. The pendant, a very rich one, is in an unusual place at the side against the wall. A design of roses surrounds the shield and monogram of Clement Lichfield. The old altar and reredos have disappeared; also the old glass; otherwise the chapel is uninjured.

In the church are hung up lists of the Abbots from St. Ecgwine to Lichfield and his nominal successor; also of the vicars of the two parishes from 1535 to 1647, and of the united parish from 1662 to the present time.

St. Lawrence's Church, though showing some traces of earlier work, is in the main a simple 16th century church, built straight off as one now sees it. Its history appears to be that it was entirely rebuilt by Abbot Lichfield and perhaps barely finished when the abbey was seized. From that time it went gradually to decay till in the eighteenth century the roof fell in, and the church remained in ruins till 1836, when it was partially restored, and completed in 1889. It consists of a west tower of four stages, surmounted by a low spire; nave and chancel under a continuous roof; north and south aisles, and south chantry. Outside the most important feature is the east end, which is richly designed with elaborate tracery and panelling round a large six-light window filled with rather singular late tracery. Inside the church is simple and uniform. The nave is of four bays, east of which is a break for the rood-loft, with two small arches into the aisles; then a chancel of three bays and a sanctuary. The spandrels of the arcades are filled in with tracery, and above is a rather rich clerestory with four lights to each bay. Under the tower is a good sixteenth century screen.

The present plaster ceilings are of course modern, and all the ancient fittings have disappeared. The general effect is consequently rather cold and formal; but one has to read into it the rich woodwork of rood-loft, stalls, and pews, the decoration of altars, and the strong colours of the painted glass to judge of the effect intended when it was built.

Of two chantry chapels, that of Abbot Lichfield on the south remains intact. It is a rich example of the period, with a square fan-tracery vault formed on a circle with central pendant and four semi-circles, the pendant being carved with roses. The altar and reredos have disappeared, but the two large niches on either side of it have survived without their statues. A fifteenth century font now stands in the middle of it.

At half-past ten the members were received at All Saints' Church by the Vicar of Evesham (the Rev. J. M. WALKER), who, after reading a few prayers, welcomed the members of the Society to Evesham. The town was, he said, full of interest, and the two churches and the battle-field would amply repay examination. The people of the town were naturally very proud of the associations, ecclesiastical and historical, which attached to their town. They still cherished the memory of Simon de Montfort,

though as yet they had not succeeded in raising a monument to him. The proposal was started a short time ago, and though it was now in abeyance, before long it would be proceeded with, and then they hoped to have some worthy memorial standing near the bell tower to the great champion of English liberties. To Clement Lichfield, the last real abbot of the abbey, they owed the completion of the bell tower and two beautiful chantries which they would shortly see; but he thought he

ABBOT LICHFIELD'S CHAPEL, ST. LAWRENCE'S CHURCH.

could not do better than let Mr. Prothero give them some description of the churches, &c.

Mr. PROTHERO, in the course of a short description of the ecclesiastical buildings of Evesham, said All Saints' Church was mainly of the fourteenth century date; the chancel was modern. Abbot Lichfield's chantry was a rich example of sixteenth century style, with a fine fan-tracery roof and pendant. It was intact with the exception of the old glass and reredos.

West of the tower was a porch in a very unusual place. The roof was an exceedingly fine example of flat oak roofing, with an oak boss, on which were carved the crown of thorns and the five wounds. The lower part of Abbot Reginald's Gateway was intact more or less; the building above was very much more modern, but exceedingly picturesque. The other church, that of St. Lawrence, was hardly so interesting; for although there were traces of an earlier foundation, it was principally a sixteenth century church built straight off. The east end was very rich outside, and the church contained one of two chantries, also built by Clement Lichfield. The other one perished, he believed, when the church was in ruins. With regard to the bell tower, competent critics had ascribed it to Abbot Zatton, 1379 to 1418. He thought, however, they might take it for granted that it was built by Clement Lichfield. It was a magnificent tower, richly panelled on the east and west, and plain on the other two sides; it had been suggested that the reason for this absence of panelling was because the tower was overshadowed by the other abbey buildings; he thought that those who left the walls plain recognised the value of plain walling, and left the tower so, as a contrast to the panelling on the east and west side. Of the abbey itself next to nothing remained. The abbey church itself was a very large one, about the size of Tewkesbury; it was built at various times, and had a high central tower. The door of the chapter-house remained nearly intact, and was a splendid specimen. In fact he did not know anything like it, and it reminded one of the French cathedral doorways; it was one of the most magnificent things in the country. Lastly, there was the almonry, Perpendicular in style, and the date of which it was almost impossible to say. It might be early fifteenth century, late fifteenth, or early sixteenth. It was an extremely interesting building, and had been well described by Mr. Ridsdale in the *Transactions* of the Society, vol. ix., 128–133.

At the conclusion of Mr. Prothero's remarks, Mr. F. F. Fox proposed a vote of thanks to the vicar. The party then inspected the places of interest, after which they drove to Wickhamford, in the county of Worcestershire, which was given by Kynred, King of the Mercians, to the monks of Evesham, and continued to be a grange of that abbey until the Dissolution, when it was granted to the Throckmortons. They sold it to Sir Samuel Sandys, eldest son of Edwin, Archbishop of York.

Sir Samuel Sandys married Mercy Culpepper, and died September 2nd, 1626, leaving as his heir his son, Edwin Sandys, who survived him only twenty-one days. Edwin married Penelope, daughter of Sir Richard Buckley, Knight.

Samuel, the eldest son of Edwin Sandys, married as his second wife Elizabeth, widow of Colonel Henry Washington, and his step-daughter, Penelope Washington, a second cousin, twice removed, of George

Washington, President of the United States, was buried at Wickhamford. The Sandys family are still lords of the manor.

The advowson of the living at the Dissolution was granted to the Dean and Chapter of Christ Church, Oxford, the present patrons.

At the church the visitors were received by the Rev. W. H. PRICE, who gave a deal of interesting information respecting the edifice. The church, he said, like all the churches of the Vale of Evesham, was

SANDYS' MONUMENT, WICKHAMFORD CHURCH.

intimately connected with Evesham Abbey, and the abbey chronicles contained many references fo the church and village of Wickhamford. As early as 703 Wickhamford was given to the Abbey of Evesham, and the ecclesiastical history of the parish was therefore ancient. Wickhamford played an humble part in connection with the abbey, for the land in the parish was given to Evesham for the purpose of the duties and responsibilities of the manciple, some of the land being used to supply

pots and pans and other utensils for the use of the monks. The church had been recently restored, and when the restoration was contemplated the distinguished architect, Sir Arthur Blomfield, was called in, and the restoration was carried out in a conservative manner, everything that was worth preserving being preserved. The old gallery front, the three-decker, and the pews were brought from a London church in 1841, when the church was restored by Lord Sandys; he understood some of this woodwork was not English, but was either done by foreign workmen in London or was brought from abroad. The pulpit, he believed, contained inside the woodwork that was now visible a more ancient pulpit, possibly of pre-Reformation date. The property, at the dissolution of the abbey, came, together with much of the rest of the abbey property, into the possession of Sir Philip Hoby; after passing through various hands, it came eventually into the possession of the Sandys family, with whom it remained till perhaps fifty years ago, when it was sold by Lord Sandys to the family of Captain Lord, of Worcester. The handsome tombs to the memory of members of the Sandys family were restored with the rest of the church in 1841. An interesting feature of the church was the panelling of the roof of the nave over the pulpit; the present panelling was modern, but that portion of the nave roof had always been different from the rest of the roof, and Sir Arthur Blomfield said that it probably formed a canopy of the rood-loft. Under the canopy were the Royal Arms, with the date 1661; from the date it would appear that these arms were of the earliest after the Restoration. In front of the altar was a tombstone, with an elaborate inscription in Latin relating the virtues of Penelope Washington, a daughter of Colonel Henry Washington, who died in 1643. Colonel Henry Washington's widow married one of the Sandys, and hence the connection of the Washingtons with Wickhamford. Penelope Washington came to live with her mother at Wickhamford after this second marriage, and died there in 1697, and on one of the tombs the Washington arms were quartered with those of Sandys. On Penelope Washington's tomb were what were supposed to be the origin of the flag of the United States, the Stars and Stripes, which were said to be derived from the Washington arms. The connection of George Washington with the English Washingtons had been disputed, but he thought it had been proved that he belonged to the English family. George Washington had, he thought, been proved to be the great-grandson of John Washington, one of the early emigrants to America, who was a cousin of Colonel Henry Washington, the father of Penelope. On the east wall of the chancel, south of the east window, there was discovered, at the time of the recent restoration, a fresco representing the Virgin and Child. The figures were perfect in outline, but the drapery was not filled in, and he surmised that the painting was never finished. He hoped, when they had

sufficient money and a proper person to do it, to restore the fresco to some of its ancient beauty. Traces of frescoes were also discovered on other parts of the walls, but they were too much decayed to be preserved. Mr. Price concluded by saying that the parish had been at great expense in restoring the church, and the whole of the money had not yet been raised. As the members of the Society left the building they would have an opportunity, if they so desired, of contributing to the restoration fund.

The church of Wickhamford consists of a nave, chancel, and western tower. The three-decker, the screen, the western gallery (the front of which remains), the seats, and the royal escutcheon, are all of seventeenth century date. The carvings of the Virgin and Holy Child on the pulpit are very unusual and very interesting.

On the north side of the chancel is a double alabaster monument, supported by five pillars and two pilasters, on the two slabs of which lie respectively the effigies of Sir Edmund and Lady Sandys, and Edwin Sandys and his wife Penelope.

On the front of the tomb are the kneeling figures of the sons and daughters, and above are the figures of Faith, Hope, Charity and Time, and various coats of arms on shields or lozenges. The Sandys family bear *or, a fesse dancetté between three crosses crosslet fitchy gules.*

THE GRANGE, WICKHAMFORD.

On the north side of the sanctuary is a flat stone to the memory of Penelope Washington, bearing the family arms, *arg. two bars gules, in chief three mullets of the second.*

These arms are supposed to be the original of the Stars and Stripes on the flag of the United States.

The Grange, a beautiful half-timbered mansion, has been well restored by the owner, Lord Sandys.

On leaving Wickhamford the party drove to Campden, where lunch was partaken of at the Noel Arms Hotel. After lunch the annual meeting of the Society took place in the Town Hall.

In the absence of Mr. Edgar Flower (chairman of the Local Committee), the Rev. T. CARRINGTON (vicar of Campden) presided at the opening of the proceedings, and, in the course of a few remarks, said he stood in the peculiar position of not being an archæologist. Great difficulties had been placed in the way of his acquiring such knowledge, His first connection with the subject was when he studied the stones of a church tower with a view of getting a jackdaw's nest. He then tore his clothes. His next archæological experience was when he placed his foot on the lead roof of a church and traced the outline of it and cut his initials. He got a thrashing for this. His next study was in reading a well-known book which related how three studious men tried for a long time to decipher an inscription on a stone, which a workman subsequently translated as "Bill Stumps His Mark." This naturally discouraged him in studying archæology. When he went to London it was to a church of yesterday, where no archæologists ever came. At Campden things were different; but though archæologists came from many parts, he could not say that they had stirred up much enthusiasm in him, for the simple reason that they all differed. He heard what they said, but thought what he liked. The Campden people were, however, glad that there were so many people in the county of Gloucester who thought that Campden was worth a visit; they welcomed them, and would be glad to hear what they could tell them about the town. They hoped they would enjoy their visit. and go away with pleasant recollections of the quaint old place.

The retiring President (Mr. F. F. Fox) then took the chair, and called upon the Hon. General Secretary (the Rev. Canon BAZELEY) to read the report of the Council for 1900—1901.

The Council of the Bristol and Gloucestershire Archæological Society present the following report for the year ending August 19th, 1901:—

"There are at present 385 annual members, 82 life members, and 3 honorary members on the Society's list, giving a total strength of 470 members, as against 409 in July, 1900. The income of the Society for the year ending December 31st, 1900, including a balance of £416 11s. 3½d. at the Society's bankers on January 1st, 1900, was £664 12s. 6½d., and the

expenditure for the same period was £238 4s. 9d., leaving a balance at the Society's bankers of £426 7s. 9½d. on December 31st, 1900. From this balance, however, should be deducted the cost of the Society's *Transactions* for 1900, the first part of which has been issued to members, and the second and concluding part will be in their hands in October. Vol. xxiv., part i. for 1901, will, it is hoped, be issued before the end of the year.

"The Index to volumes i.—xx. of the Society's *Transactions* has been issued, free of cost, to those members who paid their annual subscriptions for 1896 and 1897, and received for their two years' subscriptions volume xx., parts i. and ii. It may be obtained by other members at the reduced price of 7s. 6d.

"Besides the balance of £426 7s. 9½d., the Society has a funded capital of £632 3s. 10d. invested in Consols.

"At the last Summer Meeting of this Society, held at Bath on July 17th, 18th, and 19th, 1900, Gardner S. Bazley, Esq., and W. St. Clair Baddeley, Esq., were appointed Trustees of the Society's property, in the room of Sir William V. Guise, Bart., deceased, and Sholto Vere Hare, Esq., deceased; and the funds of the Society have been invested in the names of these gentlemen, in conjunction with those of the remaining original Trustees, the Right Hon. the Earl of Ducie and John Beddoe, Esq., M.D.

"The meeting at Bath was full of interest, and was thoroughly enjoyed by the members who attended it.

"The first day was devoted to the city of Bath. The members visited the Abbey Church, the Roman Baths, St. John's Hospital, and other places of historic interest.

"A meeting was held in the Guildhall in the evening, when the President, F. F. Fox, Esq., delivered an address on 'Rood Screens,' which was beautifully illustrated with photographic views, and gave much pleasure and information to those who had the privilege of hearing it. Mr. St. Clair Baddeley read a paper on the 'Holy Blood of Hayles,' and the General Secretary gave an account of the excavations which were then proceeding on the site of Hayles Abbey. These papers appear in the twenty-second and twenty-third volumes of the Society's *Transactions*. On Wednesday, July 19th, a delightful excursion was made to Hinton Charterhouse and Farleigh Castle, to the parish church of Bradford-on-Avon and the Saxon Chapel, and to 'The Hall,' where the members were hospitably entertained by Mr. J. Monkton. On the return journey they visited the church and manor-house of Great Chalfield.

"In the evening the Mayor and Corporation of Bath visited the Society, to inspect the Loan Exhibition at the Art Gallery. Mr. Austin J. King described the city charters, and the Rev. C. W. Shickle

and Mrs. Shickle very kindly offered refreshments. At the concluding meeting of the Society on the following day, July 20th, it was agreed to visit Chipping Campden in 1901.

"An excursion was then made to Bitton Church, Siston, Pucklechurch, and Dyrham. At Dyrham Park the Rev. W. T. Blathwayt and Mrs. Blathwayt courteously entertained the party, and showed them their many art treasures.

"The thanks of the Society are due to the Mayor of Bath for his generous hospitality, and to Thomas S. Bush, Esq., who acted as Local Secretary.

"On April 16th in this year, the Society held a meeting at Gloucester. The Dean received the members at the Cathedral, and a careful study was made of such ecclesiastical, military, and civilian costume as the Cathedral effigies afford, under Mrs. Bagnall-Oakeley's able guidance. In the evening a lecture was given, by the kind permission of the Mayor and Corporation, at the Guildhall, by the General Secretary, on the recent excavations at Hayles. The arrangements for this meeting were made and carried out by the members of the Council of this Society living in and near Gloucester, and the Rev. W. T. Alston acted as Local Secretary.

"On the 6th of June the Society visited Winterbourne, Almondsbury, Over Court, and Westbury-on-Trym. There was an excellent attendance, and the arrangements were ably carried out under the direction of the Secretary for Bristol, J. E. Pritchard, Esq. At Over Court the party partook of afternoon tea by the kind invitation of R. C. Cann Lippincott, Esq., and the beautiful tapestry and other objects of interest contained in his mansion were inspected. Papers were read by the Rev. C. S. Taylor and the Bishop of Bristol on 'The Meeting of St. Augustine with the Welsh Bishops.' An interesting discussion took place as to the locality of the interview, Mr. Taylor being in favour of Aust—and the Bishop, of Cricklade. Mr. St. Clair Baddeley also spoke, showing that Aust and kindred names pointed to a Roman origin.

"The investigations which were commenced on the site of the Cistercian Abbey of St. Mary Hayles in 1899, under the auspices of this Society, were continued in 1900, and the Abbey Church was carefully excavated under the superintendence of Mr. St. Clair Baddeley and the General Secretary. The excavations have been temporarily suspended owing to the sale of the Toddington estate, but it is hoped that they will be recommenced next year. The purchaser, Hugh Andrews, Esq., has assured the Secretary and Mr. Baddeley of his lively interest in the work, and has led them to believe that they will have his valuable assistance and sympathy.

"The Library of the Society at Eastgate, Gloucester, has been open on Tuesday afternoons during the past year, and the Society is indebted to

the Honorary Librarians for their attendance. Lord Sherborne has presented to the Society a *Calendar of Deeds* in his possession, and Mr. F. F. Fox has presented *The Little Red Book of Bristol*, two handsome quarto volumes. The Council has purchased Dugdale's extinct *Barony* and other similar works.

"The Council has gladly adopted the suggestion of the Congress of Archæological Societies that a list of the Monumental Effigies in Bristol and Gloucestershire should be compiled under the direction of this Society, and they have issued a schedule for the guidance of those members who have volunteered for the work. Mrs. Bagnall-Oakeley has kindly undertaken to revise the descriptive reports for the Editor, and they will appear from time to time in the Society's *Transactions*. The Council will be glad to receive offers of help in the Rural Deaneries of Winchcombe, Campden, and the Forest; schedules may be obtained from the General Secretary. Photographs of the effigies suitable for reproduction will be thankfully received by him and by Mrs. Bagnall-Oakeley.

"The appointment of one Trustee of the Town Trust of Chipping Campden rests with the Council of this Society; and a vacancy having been caused by the lamented death of Canon Bourne, they have appointed Edgar Flower, Esq., of Middle Hill.

"Mr. Latimer, who has ably represented the Society as Local Secretary at Bristol for several years, has resigned his post, and the Council have appointed Mr. J. E. Pritchard, F.S.A., in his room. Mr. Pritchard has already greatly strengthened the position of the Society at Bristol, having proposed fifty-five new members during the last nine months.

"The Council deplores the loss by death during the last year of several of its most valued members:—Of Canon Bourne, whose generous and able presidency at Evesham in 1884 none who attended that meeting will easily forget; of Mr. Rhys Wingfield, who presided over this Society at Stow-in-the-Wold in 1882; and of Mr. S. H. Swayne, a member of the Council from the commencement of the Society. Amongst other members of the Society who have passed away, the loss of none will be more felt than that of the Rev. E. A. Fuller, who contributed no less than sixteen papers to the Society's *Transactions*. Most of these related to Cirencester, and that ancient town owes much to him for the light which he has thrown on its mediæval history.

"The Council wish to acknowledge the courtesy of the Committee of the Clifton Antiquarian Club in permitting this Society to print several papers contributed to that Club simultaneously in the *Transactions* of this Society.

"The Council has held five meetings during the past year, and desire to acknowledge the kindness of the Lord Mayor and Corporation of Bristol for the use of a room at the Guildhall.

"The Council desire to nominate the President of Council, the Vice-

Presidents of the Society, the General Treasurer, the General Secretary, and the Local Secretaries for re-election. They also nominate for election as Vice-Presidents the Bishop of Clifton, the Rev. W. Bagnall-Oakeley, and Mr. F. S. Waller; and as Local Secretaries, the Rev. J. S. Sinclair for Cirencester and Mr. H. A. Prothero for Cheltenham.

"The following members of the Council retire by rotation, but are eligible for re-election:—The Rev. J. M. Hall, Canon Ellacombe, Messieurs G. S. Blakeway, H. Medland, and C. H. Dancey.

"The following resolutions were then put and carried unanimously:—

(1) That the Report of Council be adopted. Proposed by Rev. J. S. Davis, seconded by Mr. Cullis.

(2) That the following members be re-elected members of Council (*see* Council Report). Proposed by T. S. Smith, seconded by C. J. Low.

(3) That the thanks of the Society be given to Mr. F. F. Fox for his services as President. Proposed by Bishop Brownlow, seconded by Christopher Bowly."

The following report was also presented by Canon BAZELEY and Mr. ST. CLAIR BADDELEY:—

"Report of Congress of Archæological Societies at Burlington House, July 10th, 1901, attended by Rev. Canon W. Bazeley, M.A., and St. Clair Baddeley, Esq.

"Willis Bund, Esq., and Sir Henry Heyworth acting as Presidents in place of Right Hon. Viscount Dillon, unavoidably absent.

"(1) Discussion took place with regard to the Principles already agreed to by the Committee as to the Systematic Study of English Place Names (in accordance with the teachings of Scientific Etymology), and the Organisation of such study; but, in the main, the principles already drawn up by the said Committee were fully accepted. (2) With respect to the proposals for a Complete List of 'Earthworks' in Britain, Mr. Horace Round reminded the Congress that its main purpose is the co-ordination of work. Mr. Gould (of Essex) spoke at some length about the 'Red-Hills' of Essex, and asked if they should be included? Also, whether 'Tumuli' should be kept separate from Earthworks? The Hon. Sec. of the Society expressed his opinion that these latter should be kept separate. It was stated by Mr. Gould that Essex contains about two hundred of these red-hills, which vary from half an acre to thirty acres in extent. Yorkshire, likewise, has some earthworks similar to these. Are they to be catalogued? Also, with regard to moats and moated enclosures—are these to be included as earthworks? Mr. Round thought that classification, though necessary, should not be carried too far. Mr. Gould thought classification of form rather than of name to be more important in this department of antiquities. It was agreed that all camps, entrenchments, lines of

circumvallation (with their entrances), burghs, pit-dwellings, dykes, amphitheatres, and religious earthworks, should be catalogued and described: and that a committee be formed, including Prof. Wintle (of Birmingham), a well-known expert, Mr. St. John Hope, Mr. Ralph Nevill, Mr. Gould, and Mr. Tapp; with power to add to their number.

"In the afternoon, Mr. Oswald Barron, F.S.A., occupied an hour with a bright, but distinctly revolutionary, Paper on the subject of 'A Return to Mediæval Blazon,' in which he roundly stated the necessity for simplification, or reform, in accordance with the principles and examples of Early Heraldry. He pointed out, without sparing, the absurdities and conceits of modern Heraldry, and declared that it could not be said to be based upon ancient Heraldry, but was rather the product of our more elaborate modern life since the time of Henry VIII., and the free granting of arms to trades-folk; combined with the total want of imagination on the part of Heralds, and their resulting euphuistic affectations. He scorned the pompous invention and importation of foreign terms and Franco-English ones; and also the multiplication of the forms of the Heraldic cross, of which he states there should be (according to ancient rolls of arms) three only. No diminutives were used by the old writers on Heraldry. He would go so far, not only as to drop most of these terms, but he would use plain English, instead of such words as 'natant,' 'saliant,' 'hauriant,' 'statant,' &c. He particularly condemned the use of French adjectives such as 'patoncée,' &c. He exposed the legend of the 'Bend Sinister' as the sign of 'Illegitimacy.' It is a bare fiction. People never cared to give illegitimacy (which, however, was little thought of by our ancestors) a sign in Heraldry. The fact of a bend being drawn from left to right was indicative merely of the choice of the Herald, who so drew it for his own convenience in design. The notion of illegitimacy was referred to the false connection between a baston and bastardy. He further condemned the degenerated forms of shields as used in later Heraldry; and admired the freedom of the old Heralds in laying out their noble designs.

"Sir H. Hayworth pointed out that though there was much to be said for some of Mr. Barron's criticisms, he could not but consider that Heraldry had a right to its own special terminology, which should belong to it and to no other study; and that after all, a majority of the modern coats of arms date back no further than to the days of Queen Elizabeth, when simplicity had already quite forsaken Heraldry.

"Mr. St. John Hope spoke in support of Mr. Barron on certain main principles. He further exhibited two ancient Rolls of Arms as exemplifying the simplicity and craft of the Early Heralds. Mr. Hope afterwards contributed a valuable paper on the 'Evils of Ivy.'"

The retiring members of the Council having been re-elected, together

with the officers, a vote of thanks was accorded the retiring President, and Mr. Fox suitably replied, and introduced the President for the coming year, the Right Hon. the Earl Gainsborough, assuring him that he would meet with unfailing courtesy and help from the officers and all the members of the Society.

Lord GAINSBOROUGH said he felt it a very great honour to have been selected as the President for the year of that honourable and learned Society. It was only last year that the privilege came to him of becoming a member, through his friend Mr. Sinclair Baddeley. He had no technical knowledge of archæology, and it was mainly at the instance of the late Canon Bourne that he consented to take the office of President for this year. After referring briefly to the ancient history of Campden and its former trade as a wool centre, Lord Gainsborough went on to refer to the curious dialect which had survived among some of the remote corners of the Cotswolds. This dialect, he said, was derived from the Anglo-Saxon, and was of very great interest, the dialect having survived here with more of its original purity than in any other portion of England. The English of Shakespeare was still to be heard in some of the hill districts of the Cotswolds, and had he time he could give them many instances. He ventured to put this forward as a subject that might interest some of the members of the Society.

After the meeting the fine Parish Church of Campden was inspected. It is an imposing-looking edifice, with nave, north and south aisles, which are continued eastwards, and a clerestory, a western tower, and a chancel with north chapel, now used as a vestry. Though tradition assigned the present building to the commencement of the fifteenth century, the style of the architecture led Canon Bazeley to assign most of it to the reign of Henry VI. or Edward IV. It was stated to be quite possible that the architect designed the Lady Chapel at Gloucester and the Campden tower about 1480. The south chapel of the chancel contains some splendid alabaster effigies and marble busts of members of the Hicks and Noel families who are buried there. A canopied tomb on the north side of the altar came in for considerable attention. It is that of Thomas Smith, a lord of the manor of Campden, who died in 1593.

The VICAR (the Rev. T. Carrington) welcomed the members, and said he should be glad to learn anything he could from them about the church. He called attention to the great length of the chancel as compared with the length of the nave. The latter was square, and slightly smaller than the chancel. No one could tell them the date of the church, though they knew the tower was finished in 1480, and they owed much of the church to the generosity of the Flemish merchants who came there to buy wool It was said that the church was of the end of the fourteenth or beginning of the fifteenth century.

SOUTH-WEST VIEW OF CHIPPING CAMPDEN CHURCH.

From a photo by F. F. Tuckett, F.R.G.S.

Canon BAZELEY remarked that the whole appearance of the church put the date seventy or eighty years later than the vicar had suggested; and if the tower was built in 1480, there was not much difference between that and the church.

Mr. CHARLES said the church was interesting when they considered what was going on at the time it was built in regard to other churches in the district. Rickman had put the date of the church at from 1380 to 1401, and the tower at 1500. About that time the whole district was busy with church building. He found distinct traces of Flemish work in the church, especially about the caps of the pillars, and what more natural than that the Flemish wool merchants should be anxious to get the best they could for their money?

At the kind invitation of the Earl and Countess of Gainsborough, afternoon tea was offered to the members at Old Campden House; and they were subsequently received at the Grammar School by the head-master, Mr. F. B. Osborne, where the buildings, and particularly the Jacobæan fireplace, with effigy of an unknown gentleman in the dress of that period, attracted much attention. The fine old Market Hall and other buildings of interest were inspected, and in the evening dinner was partaken of at the Noel Arms Hotel.

MARKET HOUSE AND TOWN HALL, CAMPDEN.

The manor of Chipping Campden was held previously to the Norman Conquest by King Harold, and at the time of the Survey by Hugh, Earl of Chester. It continued in the hands of the Earls of Chester till 1232, when, on the death of Earl Ranulph without issue, it devolved to his four sisters.

In the time of Henry VIII., Thomas Smith, who is said to have belonged to an old Campden family, was lord of the manor. In 1609 his son, Anthony Smith, sold the manor to Baptist Hicks, a wealthy mercer of London. To this generous merchant Campden owes its almshouse, built and endowed in 1612, and its picturesque Market House, built in

LOGGIA, CAMPDEN HOUSE.

1627, at a cost of £90. Baptist Hicks built Campden House at Kensington in 1612, and commenced the construction of a splendid mansion at Campden in the following year. In 1620 he was created Lord Hicks of Ilmington, and in 1628 Viscount Campden. He died in 1629, and was succeeded as lord of the manor and Viscount Campden by his son-in-law, Sir Edward Noel, who died at Oxford in 1642. During the Civil War Campden House was occupied in turn by the Puritans and Royalists; and in 1645 it was ruthlessly destroyed by Sir Henry Bard, who had held it for the King.

It would appear from a bird's-eye view, formerly belonging to the late Canon Bourne, that the house, which stood on the south side of the church, had four fronts. On its south front was a terrace with a loggia at either end. These loggias, known locally as the banqueting halls, and also the gate-house still remain.

The town derived its first name from *Ceapan*—to buy, and, like Chipping Sodbury and Chipping Norton, was a *market* town of some importance, and a trading centre for Cotteswold and Welsh wool. It had a charter from Henry III. and James I., and grants of fairs, &c., from the early lords of the manor. The Corporation was abolished in 1883, but the four silver maces and other municipal relics are held in trust for the inhabitants.

A Grammar School, founded by John Varby or Fereby in 1487 and rebuilt in 1628, holds a Townsend Scholarship, in turn with the Crypt School, Gloucester, Cheltenham Grammar School, and Northleach School, at Pembroke College, Oxford. In the old schoolroom is a Jacobæan fire-place, and above it a bust supposed to be that of the founder, although dressed in the costume of the beginning of the seventeenth century. An excellent school-house was built in 1858-64.

Grevel House, the residence of Louis Dease, Esq., was built by Campden's merchant prince, William Grevel, about 1390. There are other interesting houses of various dates in the main street of the town.

A *History of Chipping Campden* has been written by Percy C. Rushen, Woodbridge, 1899, 8vo.

The Church of Campden is said to be dedicated to St. James. It would seem that this, or an earlier church, was dedicated to St. Mary the Virgin. It consists of a nave, with north and south aisles, which are continued eastwards, and a clerestory, a western tower, and a chancel with north chapel, now used as a vestry. Below the north aisle is a crypt. From the fact that in the will of William Grevel, who died in 1401, and whose brass lies on the chancel floor, he desires to be buried in the Church of the Blessed Mary of Campedene, and bequeaths 100 marks to the new work to be carried on there, the present building has usually been assigned to the commencement of the 15th century. The style of the architecture would lead one to assign most of it to the reign of Henry VI. or Edward IV. The nave has five bays on either side, with lofty columns, quirked octagonal caps, and flat arches, like those at Northleach. The caps remind one of the fan-shaped epaulières or elbow armour worn by knights about 1460-70, as seen on the effigy of Sir Thomas Peyton at Isleham and on the brass of Thomas Quatremayne at Thame. The high tower arch and the chancel arch are of the same date and style. On the second arch from the east on the north side are two brackets of the same character as the caps; these also appear at Northleach.

There is a tradition that William Grevel built the north aisle, and it is

possible that the eastern limb of its church, with the chapels, is older than the nave.

The tower is a handsome example of late Perpendicular. It has four stages, and is ornamented with panels, battlements, and crocketted pinnacles. An old rhyme says: "A man of the name of Bower built Gloucester Cathedral and Campden tower." This cannot mean that Bower was the architect of Gloucester tower, for this we know was built in the time of Abbot Seabroke, 1450–57, by Robert Tully, who was afterwards Bishop of St. David's.

> "*Hoc quod digestum specularis opusque politum,*
> *Tullii hæc ex onere Seabroke Abbate jubente.*"[1]

But Bower, as an *alias* of Robins, is a Gloucester name, and it is quite possible that the same architect designed the Lady Chapel and Campden tower about 1480.

NAVE OF CAMPDEN CHURCH.

The south chapel of the chancel has been used as a burial-place of the Hicks and Noel families, and contains four life-size effigies and two busts. The chancel roof is said to have been the gift of Sir Baptist Hicks, who also was the donor of the Jacobæan pulpit and the brass eagle. It was he

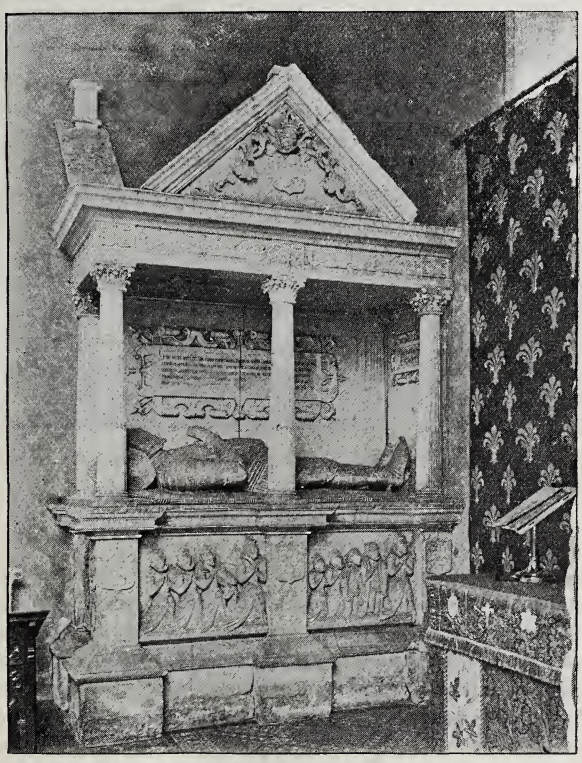
[1] Inscription on west wall of the choir, Gloucester.

who built Campden House, at the beginning of the seventeenth century; and we must assign to him the rebuilding of the porch, the caps of the turret staircases leading to the roofs at the north-west and south-west corners of the nave, and perhaps also the battlements and pinnacles of the nave. There is a quaintly-carved niche over the fifteenth century doorway of the porch, which must be an insertion.

Most of the windows have the lozenge-shaped termination to their hood moulding, which is so characteristic of late Perpendicular; but one of the windows of the south aisle has instead of this two human heads, with head-dresses of the time of Edward IV.

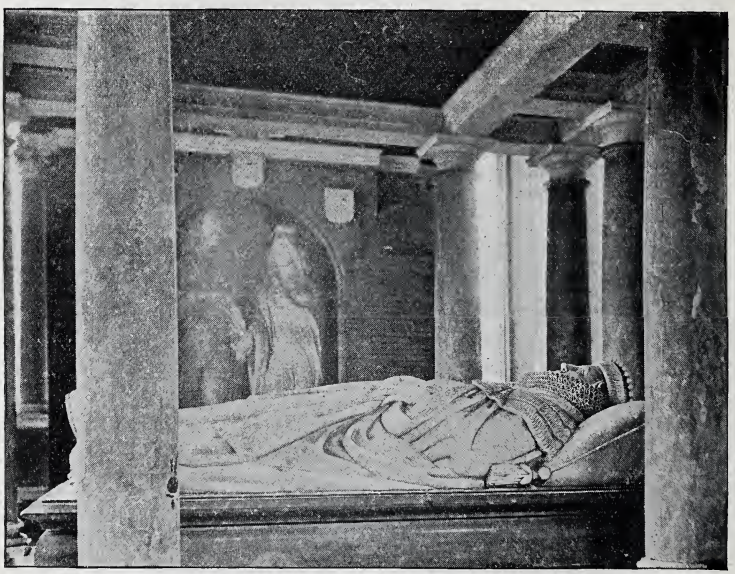
The vestry, some of the brasses, a stone coffin built into the north wall of the chancel, and the mutilated font, are probably relics of the earlier church of Campden. All else has disappeared, except, perhaps, the lower portions of the walls.

The effigies and brasses deserve careful examination. On the north



TOMB OF SIR THOMAS SMITH, CAMPDEN CHURCH.

side of the altar is a canopied tomb, on the slab of which reclines the figure of Thomas Smith, Lord of the Manor of Campden, who died in 1593. Below him are his two wives: (1) Elizabeth Fitzherbert, with five sons and four daughters, and (2) Katherine Throckmorton, with two sons and two daughters. The arms of Smyth, *sable, a fesse between three saltires or*, appear, impaling those of Fitzherbert and also of Throckmorton. At the west end of the tomb is a badge or crest consisting of two twisted snakes. The head of the effigy rests on a tilting helmet, and the feet rest on a crest similar to the above. The armour consists of a peaked cuirass, with pauldrons, brassarts, epaulières, &c., &c. A double chain is suspended



HICKS AND NOEL TOMBS, CAMPDEN CHURCH.

from the neck. The skirt of taces is not divided. The rivets and fastenings of the armour are carefully represented.

In the middle of the south chapel, on an altar-tomb, recline the superb alabaster effigies of Sir Baptist Hicks, Viscount Campden and his wife Elizabeth, arrayed in mantles, ruffs, and coronets. He died in 1629, and his widow erected this monument to his memory. On the south side of the chapel are the marble effigies of Sir Edward Noel, Viscount Campden, and Julianna, his wife, one of the daughters and co-heiresses of Sir Baptist Hicks. They died respectively in 1642 and 1644. They are represented as standing in a recess or tomb, enveloped in shrouds. The

sculptor was John Marshall. On the east wall are half-length figures of Penelope Noel, who died in 1633, aged 17, and Anne Noel, who died in 1636.

An excellent paper on the Manor and Borough of Chipping Campden, by the Rev. S. E. Bartleet, a vice-president of this Society, appears in the *Transactions*, vol. ix., pp. 134–192, and it is much to be desired, if his arduous duties as Rector of Dursley will allow him, that he should give us his promised account of the advowson and church.

The brasses in the church have been ably described by Mr. Cecil Davis. They represent: William Grevel, citizen of London, "*flos mercatorum lanar' tocius Anglie*," who died in 1401, and his wife Marion, 1386; William Welley, merchant, 1450, and his wife Alice; John Lethenard, merchant, 1467, and his wife Joan; William Gybbys, 1484, his wives Margaret and Marion, seven sons and six daughters.

Campden, like Northleach, Cirencester, Lechlade, and other Cotteswold towns, was the abode of rich wool merchants who have left behind them lasting traces of their taste in these fine examples of mediæval art, and of their wealth and piety in a fine fifteenth century church. A cope of crimson velvet with portraits of saints, and two altar frontals of white watered silk embroidered with a representation of the Assumption, are preserved at the Vicarage.

There were four chantries founded at Campden: two in honour of St. Katharine, one in honour of the Holy Trinity, and one in honour of our Lord's Mother. The silver-plate, as well as the lands belonging to these, was confiscated in 1548. It is so difficult to distinguish in the ancient records between the previous church of Campden and the Norman chapel at Broad Campden, that some persons have doubted the existence of an earlier parish church on the site of the present one.

At night a conversazione took place in the Town Hall, at which papers on various subjects were read. Mr. GUY DAWBER contributed an interesting paper on Campden, which was as follows:—"Campden is almost unique amongst the many interesting towns of the Cotswolds, and within its small limits contains some beautiful examples of domestic architecture. It lies in the heart of the stone district, and this material is used to the exclusion almost of all others, and we find here the genuine Cotswold common-sense style of stone building brought almost to perfection. Apart from the picturesqueness of its long street (with the somewhat unusual arrangement of groups of isolated buildings), and the strong and sturdy character of its architecture, it is singular in possessing a group of buildings designed evidently by one hand and erected within a few years of each other. Though possessing all the charm and variety of the local work, they are stamped with a scholarly feeling and grasp of design and composition that impart an air of distinction apart from the other buildings

in the town. Sir Baptist Hicks purchased the manor in 1609, and in 1613 he commenced to build his large house at Campden on the high ground overlooking the vale to the south of the church. He had previously, in 1612, built himself a town house at Campden Hill, in Kensington, which after undergoing many vicissitudes was destroyed by fire in 1682. His country seat, which also came to the same untimely ending, for reasons which do not concern us here, was planned on a scale of lavish magnificence, even in those opulent days, and with its terraces, gardens, fishponds, and extensive out-buildings, covered a space of over eight acres in extent. But little of the original remains, but the western pavilion of the terrace, the entrance gateway, and the so-called 'laundry' have escaped the hand of the vandal and restorer, and show the fine quality of the work and its peculiar characteristics. The architect of these buildings is unfortunately unknown, but Sir Baptist Hicks being one of the wealthiest commoners of his day, would doubtless employ a man of recognised skill and ability in his profession. By the same hand are the almshouses, a simple group of buildings on a raised terrace overlooking one of the approaches to the great house; and in the main street the beautiful old market hall, dated 1627, still stands as a testimony to the generosity of Sir Baptist and the ingenuity of his architect. The windows in the gables over the semi-circular arches were originally open and glazed, until blocked up on the advent of the window tax, and a stone balustrade, a portion of which still remains, enclosed the openings overlooking the roadway. These few buildings are, without doubt, foreign in their origin and conception, in the sense that they were not indigenous to the district, as they stand quite apart from the traditional homely local growths, and show traces, not only of a masterly hand, but also of the prevailing Italian feeling which was then so prevalent in the centres of learning and culture. There are many other buildings in Campden which merit more than a passing glance. Amongst others the beautiful house built by Greville, in the close of the fourteenth century, with its superb oriel bay, so delicately wrought both inside and out, many delightful houses of later times, and a fine and almost unique series of sundials affixed to the walls of many of the houses."

Mr. F. B. OSBORNE read an interesting paper on the history of Campden Grammar School, which is printed in this volume of the *Transactions*.

The Rev. S. E. BARTLEET said the Grammar School was formerly a chantry, and it appeared to have been the only chantry which was not seized in bygone times.

The Rev. Canon BAZELEY said that as the Society appointed one of the town trustees, they would be glad to see the Grammar School flourish. It was a great pity when these country grammar schools were

absorbed by the large town schools. They would like to see the schools kept up, and the headmasters depended upon the inhabitants of the town and district to do this. They had an excellent master, but he could not do everything himself.

Mr. KENNEDY SKIPTON read a long but interesting paper on "Sport in Gloucestershire," which dealt mainly with the Berkeley and Badminton Hounds. Some of the details of hunting history were very interesting, but we are not able to reproduce the paper, with the exception of references to the Dover Hill games. Early in the seventeenth century the games were instituted by Robert Dover, and the top of the hill was then an open space of five hundred acres. The games seemed to have been managed for forty years by Dover himself, who had special permission from James I. to run the games. The sports were referred to by Shakespeare in *The Merry Wives of Windsor*. The county gentry and others came from sixty miles round to these games on Whitsun Thursday, and they flourished till the Civil War. At the Restoration they were revived and remained in existence till 1851, when they were stopped by Act of Parliament. Dover seemed to have been a friend of the poets of his day; at one time 30,000 people attended the games.

Mr. BADDELEY addressed the meeting briefly on "Some of the recumbent effigies in the county." He dealt mainly with monuments to the memory of the Sandys family at Miserden, which had for many years been ascribed to Italian workmen, but which he had always thought were of English workmanship, in which opinion he had lately been confirmed by the best authority on such subjects in the country. He discouraged attempts to give to Italians and Dutchmen the credit due to Englishmen for some of the beautiful effigies and monuments found in various churches.

During the evening the ancient maces of the Campden Corporation were handed round and inspected with much interest. On behalf of those present the Earl of Gainsborough, who was in the chair, thanked those who had prepared the papers read.

On Wednesday morning the members of the Society proceeded to Ebrington Church, where prayers were said by the minister in charge during the absence of the incumbent, and the building, which contains many features of interest, was inspected.

The name of the parish seems to be derived from the Patron Saint, St. Eadburgha. It contained three separate manors in 1086. (1) Bristentune was held by William Goizenboded, and passed to his descendants, the Boyses, who held it till the time of Edward I. Alan de Zouch died seized of it 1314, leaving three heiresses. The Corbets were lords till the reign of Henry VI., when it was purchased by Sir John Fortescue, Lord Chancellor of England. Upon his attainder in 1468 it was alienated to

the Bridges family, and afterwards restored to the Fortescues. Lord Fortescue is the present lord of the manor. (2) The Grevels of Campden held Charingworth. (3) The Keyts, whose pedigree is given in the Heralds' *Visitation of Gloucestershire in 1682–3*, p. 101, resided at Ebrington for some 300 years, and many of their monuments remain in the Parish Church. They intermarried with the Freemans of Blockley, the Rileys of Campden, the Porters of Mickleton, the Coventrys, the Tracys, &c. Sir William Keyt set fire to his house at Norton in 1741, and perished in the flames. The baronetage became extinct on the death of his son, Sir Robert Keyt of Middleham, in 1784, s.p.; but there are still people of the name in the parish and surrounding districts.

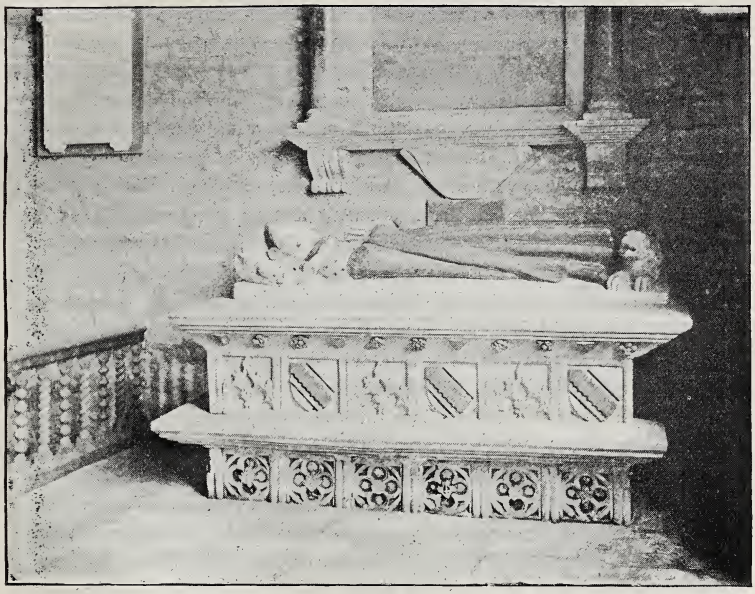
Ebrington appears to have been the scene of a battle, for in a field near the Vicarage human skeletons, shields, spear-heads, rings, pins, &c., of Saxon manufacture have been found.

The Church of St. Eadburgha, Ebrington, consists of a nave with south chapel, chancel, and western tower. The north wall of the nave has been re-built. The south window of the chancel and the east window of the south chapel contain some painted glass, given by Sir William Keyt, representing the life of Joseph, also the arms of Keyt, *azure on a chevron between three kites' heads erased or as many trefoils slipped gules;* of Coventry, *sa. a fesse ermine between three crescents or, &c.* On the north side of the altar the effigy of Sir John Fortescue, Lord Chancellor in the time of Henry VI., lies on a handsome fifteenth century tomb, with a tablet erected to his memory by Robert Fortescue in 1677 and repaired in 1765 by Matthew, Lord Fortescue.

On the south wall are the busts of Sir John Keyt, who died in 1662, and his wife Margaret, daughter and heir of William Taylor, of Brixworth, who died in 1669. The chancel arch is Perpendicular. Two pointed arches lead into the south chapel, which has an open timber roof. One of the beams rests on a fine corbel representing a king's head. The doorway of the rood-loft remains. The Perpendicular font has an octagonal bowl with quatrefoil panelling and a band of flowers. It is set on an octagonal stem. There is a doorway on the north side of the nave, now stopped up. The late Perpendicular tower of two stages is embattled; it has four pinnacles and a staircase in the south-east angle.

Over the south doorway, inside the porch, is some Norman work, consisting of the familiar chevron moulding; but it is noted that the various courses do not tally, the angles not coinciding. In the churchyard is a stone coffin and a large stone slab. This stone slab, which bears a fourteenth century cross, has been lying on the ground as if it were a tombstone; but it is stated that in its measurements it exactly coincides with the stone coffin, and the surmise is that it really forms the lid of the coffin. Mr. Bazeley suggested that if further investigation and confirma-

tion confirm this belief, the coffin should be placed on some stones (to keep the damp from perishing it) and the lid placed on the top. It should be stated that in other churchyards of the district there are similar slabs which are evidently tombstones. In the church is a quantity of heraldic glass, dating from the seventeenth century, which Mr. Bazeley considered was probably foreign in origin, though, after what had been said the previous night, he would not commit himself to the statement that it was foreign. In the church is a very characteristic Perpendicular font. The registers date from 1568.



TOMB OF SIR JOHN FORTESQUE, EBRINGTON CHURCH.

The party then journeyed to Hidcote House, where they were received by Major Wright, and the following notes by Mr. Dawber were read :—

"Hidcote House, some two miles out of Campden, stands in high ground overlooking the roadway, and is a very picturesque example of seventeenth century architecture. It is built entirely of stone, and is roofed with slates of the same material, and follows the not uncommon L shape in plan. The internal angle lies towards the south-west, and the entrance is immediately opposite to the gateway to the main road. Like so many of these Cotswold stone houses, the plan is entirely self-contained : no porch or bay windows or any projections break the enclosing lines ; and though

the interior has been mercilessly modernised, a good deal remains to explain its original conditions. The house is dated in the main gable over the entrance 1663, and bears the initials 'F. K.,' and in the weather vane close above is the representation of a kite, the badge of the family of that name, who erected the house. It is somewhat late in character, and though pleasing in its general composition, yet shows traces in detail of decadence from the strong and virile work of a century previous. The three principal gables are shaped after the Jacobæan pattern of earlier times; and though the builder evidently thought he would try his hand at some elaboration in design, yet the result is sadly out of harmony with the rest of the work, and detrimental to the general effect. The back, or long side of the house, with its quiet gabled composition, is far more pleasing, and is essentially Cotswold in feeling and spirit. There are remains of good panelled rooms, though the one on the ground floor, divided up with small panels, is coarse in character and detail. In one of the bedrooms, however, the panelling remains *in situ*, and though the large panels are now devoid of the tapestry that once filled them, yet the detail of the moulding and arrangement generally of the woodwork is worthy of our admiration No traces of the original gardens remain, but the quiet beauty of the undulating country around satisfies the eye, and completes a picture of delightful old world charm."

From Hidcote House the journey was continued to Quinton, which appears in the Domesday Survey as Quenintune, in the hundred of Ceolflede; was held in 1086 by Hugh de Grentmaisnil, of Lisieux in Normandy, one of the companions of the Conqueror. Hugh died in 1093, leaving a son, Robert.

In the reign of Stephen, Robert Marmion, Lord of Tamworth, in Warwickshire, gave the Church of Quinton to the nuns of Polesworth, and they held it till their convent was dissolved. The advowson was then granted to the Dean and Chapter of Worcester, who are still the patrons. Robert was succeeded by a son and grandson of the same name. The last Robert had a son, William, and a grandson, John, who held it in the time of Edward I. Matilda Marmion had a grant of free warren in Nether and Over Quinton in the same reign. John, son of the last-named John, held Quinton in the reign of Edward III., and left it to his son, Robert, who, having no issue, gave it in marriage with Avice, his sister, to Sir John Grey, on condition that their issue should take the name of Marmion. Sir John and Lady Grey had two sons, Lord John Marmion, who died without issue, and Robert, whose daughter and heiress married Sir Henry Fitz Hugh. In 1430 Sir William Fitz Hugh, son and heir of Sir Henry, sold Quinton to Richard Grainger, and he re-conveyed it to Ralph, Lord Cromwell. Matilda, daughter of Ralph's son and heir, released it to the President and Fellows of Magdalen College in 1480.

There were other manors: Admington, held by Winchcombe Abbey till the Dissolution; Meon, held by the Grevels, and afterwards by the Noels; and Radbrook. Sir William Clopton, Knight, died in 1419, seized of the manor of Radbrook, held of Henry Fitz Hugh as of his manor of Quinton. Sir William's effigy in stone lies in the nave of the church. He married Joan, daughter and co-heiress of Alexander Pearsford, who after his death became a recluse in a cell attached to the church. Her brass effigy lies on an altar-tomb in the chapel of St. Mary, at the east end of the south aisle. His arms—*ar. two bars gu., fretty or*—may be seen on the leather jupon or surcoat of his effigy and on the brass; the arms of Pearsford—*gu. a fesse between six pears slipped pendant*—may be seen on the latter. For a full account of Sir William and Lady Clopton and their effigies, see *Trans. B. & G. A. S.*, xiii. 162—172.

The Church of St. Swithin, Quinton, which was probably built by Robert de Marmion, Lord of Tamworth, in the reign of Henry I., consists of a Norman nave with two aisles and clerestory, an Early English chancel, and a Decorated tower with a ribbed spire.

The arches of the south arcade have capitals with scalloped edges and truncated cone mouldings, and short round piers cut square on the south side, but hollowed out with a square set-off on the north side. This arcade is no doubt part of the original Norman church, erected about 1140. The north arcade with its pointed arches and small circular moulded caps is Transitional Norman, and was probably added after the nuns of Polesworth obtained the advowson. At the east and west ends of this arcade the responds consist of small caps with inverted cone moulding and circular shafts. The nave appears to have had three different roofs in succession: (1) Norman, (2) Decorated, (3) Perpendicular. The clerestory windows belong to the latest work in the fifteenth century. The set-off of the second, or fourteenth century roof, is very conspicuous. Above the arches of the arcade are heads, from which spring the struts supporting the roof.

On the north arcade are remains of Early English fresco work. The nave has several very good Decorated windows of two lights, on the north and south, as at Mickleton, and three-light windows at the extremities of the aisles. The east window of the north aisle has some rich stained glass and a canopied niche which once contained a statue in lieu of a central light. In the Chapel of St. Mary, the Radbrook or Lingen burial-place, there are fourteenth century sedilia and a piscina. Fosbrooke tells us that John de Hayford, who died in 15 Edward III., endowed a chaplain to serve at St. Mary's altar. The date of this work is therefore about 1340. At the west end of the south aisle outside may be seen the outlet of a drain far below the level of the present roof. This belonged to the pointed roof of the fourteenth century. The chancel is Early English, with

characteristic moulding below the windows continued along the east wall. There are two deeply-splayed hooded windows, and one beautiful fifteenth century window on the north side. The windows on the south side are of the fourteenth century style. The east window was walled up until the recent restoration. There is an Early English aumbry on the north side of the altar, and an original bracket for a piscina of the same style on the south side.

The tower has a single light window cinquefoiled on the west. The belfry windows are very long, each of them having two lights and a transom. The parapet is embattled, and at each angle there is a crocketed pinnacle. The late fifteenth century ribbed spire has some ogee-headed windows, and near the top a band of Tudor flowers. The aisles and clerestory have no battlements. The east gable of the nave has a bell niche.

The effigy of Sir William Clopton, illustrated in vol. xiii., p.67, lies on an altar tomb under the south arcade. The knight wears a bascinet to which is fastened a camail. On his arms are epaulières and coutes, whilst the legs are protected by cuisses, genouillières and jambs of plate and sollerets; over his cuirass he wears a joupon or surcoat of leather with escalloped edge. His sword, of which only the hilt remains, is attached by a narrow belt which crosses his body diagonally. Around his hips is a baldrick or jewelled belt, to which is attached an anelace or dagger. The annulet on his breast is a puzzle; it can hardly be a mark of cadency, as he appears to have been his father's eldest son. There is no inscription.

The brass effigy of Joan, Lady Clopton, lies on an altar-tomb in the Radbrook Chapel. The lady wears a veil head-dress, and wimple. She has a long kirtle with tight sleeves and fur cuffs; over this is a mantle fastened by a cord passing through two metal loops. The figure is within an arched canopy. The inscription, as well as an illustration, is given in vol. xiii., p. 168. The words *que tibi sacrata clauditur hic vidua milite defuncto sponso pro te ihu fuit ista* show that she became a recluse in a cell adjoining the church. The arms of Clopton and Pearsford appear on four shields.

Until the restoration the east window was walled up, or perhaps we should say there was no east window. In connection with this point Mr. Bazeley said that in Gloucestershire there were many churches which had no east window. In place of the east window there were rich frescoes, with windows in the side walls of the chancel to light them up. On the part of architects of the nineteenth century it was a craze to put in east windows, because they thought they ought to be there; they therefore inserted one, and destroyed the characteristics of the church altogether. At Quinton there appeared to have been no east window till a few years ago; a rather poor fourteenth century style window was then inserted.

Great interest was evinced in the brass effigy, lying on an altar tomb, to the memory of Joan Lady Clopton, who in the fourteenth century, on the death of her husband, became an anchoress in a cell adjoining the church, as appears from the inscription on the tomb. Mr. Bazeley gave a very interesting account of the rites attending the placing of a recluse in the cell; the ceremony bore a great resemblance to the burial service, penitential psalms being sung, and extreme unction being administered. The person about to become an anchorite, if a member of the clergy, lay on his face in the chancel during the earlier part of the service; if a layman, he lay on his face in the nave; and if a woman, in a similar position at the west end of the church. When the cell had been examined by the bishop to see that it was in a fit and proper condition to receive the recluse, the man or woman, as the case might be, was placed in it, never to leave it till death. In the case of a wealthy anchoress, there would probably be a woman to minister to her. Except in case of dangerous illness or approaching death, the door of the cell was never opened. Mr. Bazeley said that attempts to find traces of the cell in which Lady Clopton spent the remainder of her days had borne no fruit, but suggested that possibly the building at the entrance to the churchyard, now used as a blacksmith's shop, was originally the cell. They were all aware "to what base uses," etc., and it was possible that what in the fourteenth century was an anchoress' cell might in the twentieth serve as a blacksmith's shop.

Lunch was served at the College Arms, after which the party drove to Mickleton, and were received at the church by the Rev. A. M. Coxwell Rogers.

We learn from King Ethelred's Foundation Charter of Eynsham Abbey, A.D. 1005, that among the estates which Æthelmær Ealdorman of Devonshire gave for the endowment of his Abbey was that of Micclantun, which Ealdorman Brihtnoth, who had received it by gift from King Edgar, had left to him by will. Brihtnoth was probably that Ealdorman of the East Saxons who died at the battle of Maldon fighting against Olaf Tryggevessen in 991.

Mickleton was held by the Abbey till the Dissolution, when it came to the Crown, and was granted to Richard Lukenore. In 1594 it was sold to Edward Grevill, of Melcote, who three years later sold it to Edward Fisher. In 1656 Sir Edward Fisher, Knight, sold it to Richard Graves. Richard Graves, Lord of the Manor, who died in 1729, was a distinguished antiquary.

The Rev. Richard Graves, Rector of Mickleton, published in 1773, *The Spiritual Quixote or the Summer's Rambles of Mr. Geoffrey Wildgoose.* This work was a satire on Whitfield and his followers. It passed through many editions.

The Church of St. Lawrence, Mickleton, consists of a west tower, a nave, with north and south aisles and south porch with upper chamber, and a chancel. The fourteenth century tower is of two stages, with a ribbed and broached spire and four pinnacles at the juncture of the tower and spire.

There is no mention of a church in the Domesday Survey or of a parish priest, bui it does not follow necessarily that no church existed in 1066.

The present church seems to date from the twelfth century, and to have comprised a short nave with aisles, and probably a small apse at its eastern extremity. In the fourteenth century the western bays of the nave arcades were added, and the aisles rebuilt on a larger scale. The chancel and chancel-arch were rebuilt in the fifteenth century, and there are traces of older work being used up in its construction. In the same century the clerestory was added, and the present low-pitched roof substituted for an earlier pointed one. Early in the seventeenth century the south porch and chamber above were added in the Renaissance style.

The Transitional Norman caps and semi-circular arches of the nave with their conventional foliage are French in their character and feeling, some of them being almost identical with those at Sens and Canterbury They may be said to be Norman in style and Early English in treatment.

Particular attention should be given to the fine series of Decorated windows in both aisles.

In the east window of the north aisle is some good stained glass with the following inscription in Lombardic characters, giving briefly the devolution of the manor in early Saxon times:

EADGARUS REX	
DEDIT.	*Corona.*
MYCCLANTVNE	*Royal Arms:*
BRITHNOTO DVCI	*France quartering England.*
ET ILLE	*Quarterly: 1 & 4 gu. an eagle*
AETHELWARDO DVCI	*displayed or*, Graves. *2 & 3 azure, a*
ULTIMO	*chevron ermine between three swans*
COMMISIT DONO	*proper*, Swan.
QUI	*Mantled crest and arms.*
POSTEA EAM.	Crest: *A talbot passant*
MONASTERIO DE	Arms: *Graves.*
EYNESHAM	Motto: *Spe num fugiente.*
DEDIT.	

Arms, *quarterly 1 & 4* Graves. *2 & 3 sa. a fesse engr. arg. between dexter hands couped or.* Bates.

In the south window of chancel is some good glass with the following quarterings:—

Quarterly of 12:

1. *gu. 3 demy lions or, a chief of the 2nd.* Fisher.
2. *Arg., on a fess engrailed az. 3 crosses paty or.*
3. *Az. 3 eagles displayed, or.*
4. *Ermine, 5 chevronels gu. on a canton of the 2nd a lion passant or.*
5. *Barry of ten arg. and gu. within a bordure az. charged with 8 martlets or.*
6. *Vairé az. and arg. a pale sa.*
7. *Gules 3 cushions argt.*
8. *Barry of ten arg. and gu. over all a lion ramp. sa.*
9. *Arg. 3 horse-shoes sable, nailed arg.*
10. *Quarterly 1 and 4 gu., 2 and 3 vairé, vert and or, over all a lion rampt. arg.*
11. *Arg. a fesse vairé, between 3 eagles displayed of the last, or and gu.*
12. *Paly of 6, arg. and gu. a bend vairé sa. and argent.* Rudder says *vert and or.*

Motto: *Vigilet qui vincet.*

The east window of the chancel and the north and south windows are Perpendicular.

The upper chamber of the porch has been originally one long room, and contains the old barrel roof and fireplace.

There is a good iron-bound chest, studded with nails, which perhaps is 500 years old.

From Mickleton the party drove to Long Marston, where the Rev. E. H. Garrard received them at the church and gave some interesting information respecting the building. It was probably built about the middle of the fourteenth century, though there were records of an earlier church in the village. In 1043 the property was given by the Earl of Mercia to the monks of Coventry, one of the conditions being that a church should be built. The estate afterwards passed to Winchcombe, and at the time of the Dissolution was split up among various people. In the east window is some glass, probably dating back to the time of Henry VII, and a brass to the memory of Samuel Burton, Archdeacon of Gloucester during the reign of five bishops; the date is 1684. A peculiar feature of the church is the oak-braced belfry, displayed by the recent removal of the gallery; it has been stated that there is only one other example of the kind in England. Above the sham roof which was put up in 1867, when the church was restored, is a very good wagon-head roof, but the weight and thrust had proved too great for the walls. The old tombs in the churchyard attracted considerable attention.

On leaving the church the members of the Society were received by Commander and Mrs. Carrow at their residence, and entertained to afternoon tea on the lawn. It is well known that in this house Charles II. was hidden for a night on his flight from Worcester. He was disguised as a

man-servant, and the story goes that he was told by the cook to wind up the jack, and was unable to do so. His clumsiness roused the wonder of the cook, who asked wherever he came from that he did not know to wind a jack. He replied that he came from Staffordshire, where they did not use jacks, and the matter was not pursued further. The jack in question was exhibited by Commander Carrow, and duly admired. A long telescope, once the property of James II., was also on view.

The annual meeting concluded on Thursday. A meeting of the Society took place in the morning, when the following votes of thanks were passed, and Tewkesbury suggested as the place of meeting for 1902; the final choice rests with the Council.

The following votes of thanks, proposed from the Chair, were unanimously agreed to:—

(1) The chairman and members of the Local Committee.

(2) To the Local Secretary, L. G. Dease, Esq., for his unvarying courtesy in carrying out the arrangements for this meeting and providing for the comfort of the members; and also to the members of the Local Executive Committee, F. B. Osborne, Esq., and M. Stanley, Esq.

(3) To those inhabitants of Campden and the neighbourhood who have so kindly offered hospitality to the members.

(4) To J. Iddiens, Esq., Major W. Wright, Commander Carrow, F. D. Miller, Esq., and Edgar Flower, Esq., for their invitation to the Society to visit Wickhamford Manor House, Hidcote House, Long Marston House, The Priory at Broadway and Middle Hill respectively.

(5) To Lady Gainsborough, Mrs. Carrow, and Mrs. Edgar Hill for their courteous hospitality.

(6) To F. B. Osborne, Esq., for his reception of the members at the Grammar School, and for the use of the Technical School.

(7) To the Incumbents of Evesham, Wickamford, Campden, Ebrington, Quinton, Mickleton, Marston Sicca, Buckland, and Broadway, for the facilities offered by them of visiting their churches. and for their reception of the Society and explanation of their sacred buildings respectively.

(8) To H. A. Prothero, Esq., E. Guy Dawber, Esq., F. B. Osborne, Esq., Cecil Davis, Esq., Kennedy Skipton, Esq., and W. St. Clair Baddeley, Esq., for their papers or addresses.

(9) To the Rev. W. T. Alston for the excellent photographs to illustrate the programme.

The party then drove over Broadway Hill (it was too hazy for view) to Buckland.

In A.D. 709, Kynred, King of the Mercians, gave the Manor of Buckland to the Abbey of St. Peter, which was at that time ruled by its second Abbess, Edburga.

The village takes its name from the tenure by which the Abbey held it. Boc-land was a private estate held under a written title. The Manor is described in the Domesday Survey as containing ten hides, twenty-two villeins, and six bordars. No church or parish priest is mentioned earlier than 1187—1191, when the advowson was confirmed to St. Peter's Abbey Gloucester, by Pope Clement III. The manor gradually increased in value, under the excellent management of the monks, till 1540, when at the Dissolution it passed into the hands of Henry VIII.

What is known of its history from 709 to 1540 will be found in the *Transactions* of this Society, vol. ix., pp. 103—124.

The manor was granted by Henry VIII. to Sir Richard Gresham, Lord Mayor of London, and it was inherited by his son, Sir Thomas Gresham, the founder of Gresham College and the Royal Exchange. Christian, sister and heiress of Sir Thomas, brought it in marriage to Sir John Thynne, and their descendants held it till the end of the eighteenth century, when it was sold by the Marquis of Bath to Thomas Phillips, of Middle Hill.

The Church of St. Michael, Buckland, consists of a nave with north and south aisles and a north porch, a chancel, and a square embattled tower at the west end.

As we have seen, a church existed at Buckland in the last half of the twelfth century; no traces of it are found in the present church, and the rector has suggested that the Abbey Records refer to the chapel of Laverton in this parish, which has been destroyed within the memory of those yet alive. Some beautiful stonework ornamented with chevron moulding, built into some cottages on the Glebe Farm, show that it was a twelfth century structure.

The three bays of the south arcade of the nave, and the two eastern bays of the north arcade are late Early English or thirteenth century. They have plain chamfered arches with clustered semi-detached shafts and moulded bell-shaped caps. The responds of the two easternmost bays of the north arcade have each a single detached shaft. The chancel arch, the east and west windows of the north aisle, and a piscina in the south aisle, all belong to the thirteenth century church. At the east end of the nave, on the apse of the gable, is the cote which formerly contained the sanctus bell. The bell itself has been removed into the belfry, and is now known as the Ting Tang. The lower part of the tower seems to be earlier than the upper part.

Considerable changes took place in the fifteenth century. A clerestory was added to the nave, and the upper part of the tower and the western

bay of the north arcade were built. The chancel was rebuilt, and the Perpendicular windows were inserted in the north and south walls of the nave. A low pitched roof, as may be seen by the drip courses on the east wall of the tower, was substituted for the thirteenth century roof. Some of the oak seats are relics of this restoration; so also is the font and a richly carved tomb on the north side of the tower. A late rector, the Rev. Philip Norris, found it in the churchard and removed it to this spot; see *Transactions*, vol. ix., p. 18. There are some good fifteenth century tiles on the floor of the south aisles, ornamented with the arms of the Beauchamps, Earls of Warwick, Lords of the Manor of the adjoining parish of Child's Wickham. Two doorways which led to the rood-loft and an aumbry high up in the east wall of the nave, which belonged no doubt to a rood-altar, remain *in situ*. The glass in the east window of the chancel is a hundred years older than the stonework, and was probably the gift of William Grafton, rector from 1466 to 1510. The glass is evidently of the time of Edward IV. It represents three of the seven sacraments of the Church: Confirmation, Marriage, and Extreme Unction.

(1) The scene on the left has always been said to be Infant Baptism; and so it is, inasmuch as when a bishop was present confirmation followed immediately the rites by which the child was made a catechumen at the church door, was received into the Church, was anointed with oil, and baptised, &c., &c. In each light the officiating minister is a bishop, and we cannot help thinking that the figures are portraits and the scenes are historic. Perhaps they represent the marriage of William Grafton's parents, his baptism, and the death of his mother. In the first scene, the bishop, who wears a cope and mitre, places one hand on the child's head and blesses him with the other. A tonsured white monk stands in the background holding a church in his left hand, whilst the head of a pastoral staff which appears may have been carried by a figure which is now lost, and a deacon upholds the book of offices before the bishop. A man, perhaps the father, probably the god-father, holds another child.

(2) Marriage. This light, which is figured in Lyson's *Gloucestershire Antiquities*, pl. xxxix., has been sadly mutilated. The bishop's head is gone. He wore a mitre, amice, chasuble with orphreys, dalmatic, and alb, and we see him in the act of joining the hands of a couple, and blessing them with uplifted hand. The bridegroom has a gypcière or purse fastened to his girdle, and a hood thrown over his shoulders. His cuffs and the hem of his gown are of ermine. The bride, who holds her gloves in her left hand, wears the butterfly head-dress, which betokened a lady of rank in the earlier years of the reign of Edward IV. Her gown is also trimmed with ermine, and being raised in front, the under garment is seen below. Behind the foremost group are four men, two of whom wear turbans with

the ends hanging down, and a woman, who holds gloves in her left hand, and acts as bridesmaid. Above the party is a jewelled canopy.

(3) Extreme unction. The bishop's face is gone, and the other figures have been disturbed. The bishop, in alb, dalmatic, and chasuble, with two attendant priests, administers the last sacrament to a dying woman, anointing her with oil. She wears a golden circlet on her head. In the background are three ecclesiastics and three laymen, who seem to be holding a consultation. One of the ecclesiastics holds the bishop's staff. On a panel over the window outside is the date 1585.

On the panelling in the north aisle appears the following inscription:—"Thomas Izzard and James Sowthern of theyr own cherg have given this wainscot and benchin to church in the yere of our Lord 1615." The western gallery belonged to this date, and also the remarkable testers or bench heads of carved oak in the south aisle. There is a holy-water stoup at the north door.

In the nineteenth century restoration, the plaster was ruthlessly stripped from the walls, and many interesting frescoes were irreparably destroyed.

The church was described by Mr. Bazeley as one of the most interesting they had seen during the present meeting. It appears to date from the thirteenth century, or earlier, but considerable changes took place in the fifteenth century. The principal feature is the fine old glass which fills the three upper compartments of the east window. The glass is evidently of the time of Edward IV., and was possibly the gift of William Grafton, mentioned above. The three lights represent three of the seven sacraments of the Mediæval Church—Confirmation, Marriage, and Extreme Unction probably the whole series was once represented. The other four have disappeared, with the exception, perhaps, of some fragments which now form a border to the three. Mr. Bazeley gave a description of the scenes depicted, and the Bishop of Clifton made a few interesting remarks respecting the first panel. The scene appears to be that of the confirmation of an infant, and his lordship said in mediæval times it was an almost universal custom to confirm infants in arms. In one of the "Uses" it was laid down that if parents neglected to have their children confirmed before they were three years old, they should fast on bread and water on Fridays till the confirmation took place. Attention was drawn to the fact that the plaster had been stripped from the walls at the restoration some years ago, and Mr. Bazeley said he would like to protest most emphatically against this practice, which seemed to be a favourite one of architects in the nineteenth century. They ought to be made to replace the plaster at their own expense. He did not think they would see so much of this done in the twentieth century. The walls of such a church were never intended to show the bare stones.

The Rectory House contains an ancient hall with some good fifteenth

century glass and carving. As in one of these windows appears the rebus of William Grafton, *a graft rising from a tun*, we may attribute the building of the hall, &c., to this good rector. On the quarries are birds of various kinds, some holding weapons, and some with labels proceeding from their mouths on which is inscribed "In nòie Ihu" ("In the name of Jesus"). There is a border of crowns, and below are the words, "Willm Grafton. Grafton Rector." In another window appears the *rose en soleil*, a badge of Edward IV. There are two angels carved on the beams of the roof, which rest on corbels quirked, and decorated with red roses.

In a chest is preserved a blue velvet cope, which has served as an altar-cloth and also as a pall. It has been described by Mrs. Bagnall-Oakeley in the *Transactions*, vol. xi., pp. 255, 6. The letters W. H. Y. and two curious representations of churches are thought to be a rebus of William Whytchurch, Abbot of Hayles, c. 1470.

In the same chest is preserved a Mazer Cup, *i.e.*, a cup or bowl of maple wood, set in silver. Inside is a figure of St. Margaret piercing the mouth of a dragon with her staff. Round the edge is written, "Will'mus Longmore me fecit anno Domini 1607. Magister Wingfield Rector de Buckland huic poculo aliquid ornatus.....?"

ANCIENT GRANGE OF PERSHORE ABBEY, BROADWAY.

The party then drove to Broadway, and, after lunch at the Lygon Arms Hotel, visited the interesting fourteenth century building locally known as "The Priory," which was originally a Grange of the Abbey of Pershore. When this Society visited it in 1884 it was found to be in a deplorable state of dilapidation; but it has been greatly improved by the present owner, F. D. Millett, Esq., and is now used by him as a studio.

A description of the Grange, by John Robinson, Esq., as it appeared in 1875, is given in the *Journal of the British Archæological Association*, vol. xxxii., pp. 437–9.

Mr. Millett received the party here, and explained the building in a

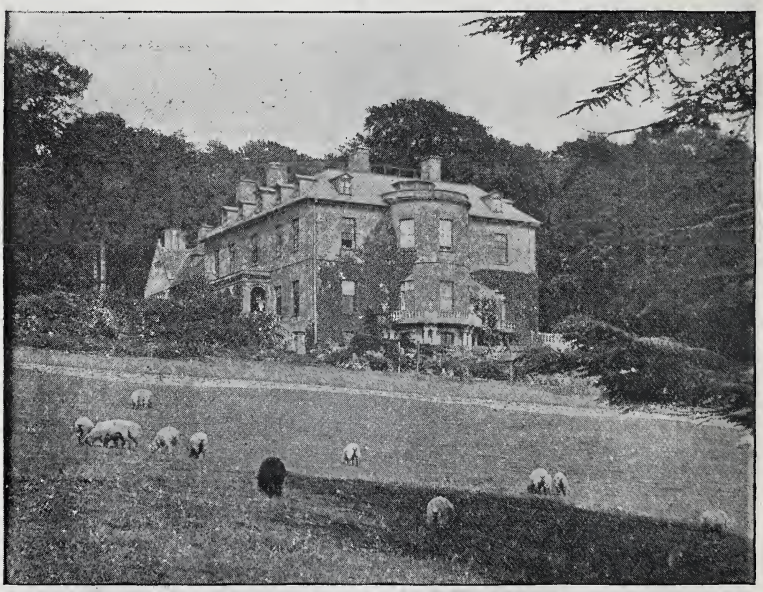
OLD CHURCH, BROADWAY.

manner which amused some of them. The Bishop of Clifton, to whom most of this racy description was addressed, seemed to enjoy it hugely, particularly that relating to the alteration of the three-foot staircase to one of four feet. The house is filled with curios of various descriptions, which were much admired. The Church of St. Eadburg, the last one seen during this meeting, was then visited. Mr. Bazeley called attention to a stone effigy which now forms part of the coping of the churchyard wall, and remarked with a sigh as of relief and congratulation: "But we are not in Gloucestershire now."

The Church of St. Eadburg, Broadway, is cruciform, comprising a nave with narrow north and south aisles, a central tower with external staircase at the north-east angle, north and south transepts, and a chancel. The ledges which supported the rood-loft remain under the central tower.

Since the erection of the new church near the village, the old church has only been used occasionally in summer.

The north and south arcades of the nave are Transitional Norman, having each three bays with pointed arches, capitals with truncated cone mouldings and circular bases. Half the arches have square edges, the others are chamfered. The roof of the nave dates from the fifteenth century, and is somewhat higher than the pointed roof which preceded it. There are traces of fourteenth and fifteenth century work in the transepts and chancel. Most of the windows were inserted in the fifteenth century. The font is Early English. There is an escutcheon of Charles I., also a Jacobæan pulpit with sounding-board, and another of fifteenth century



MIDDLE HILL, BROADWAY.

work with Proverbs xxix. 18, rendered thus: "Where the Word of God is not preached the people perish." This pulpit came from a small chapel which stood where the new church now is. The translation is probably derived from the Vulgate: "Cum prophetia defecerit, dissipabitur populus." There are some good ancient oak seats under the

tower. A pillar almsbox is of unusual form and very ancient. A brass is affixed to the east wall in memory of Anthony Daston, of the Dumbleton family, who was Lord of the Manor of Broadway in the time of Queen Elizabeth, and died in 1752. The knight's head is bare and rests on a helmet. The breastplate has the tapul or projecting edge. The skirt of mail is somewhat longer behind than in front, and is undivided. Attached to the rim of the breastplate are tassels of plate with rectangular lower edges. The knight wears a long sword on his left side; the strap passes round his waist, and is knotted in front. Frills appear on his wrists and neck. He wears fluted pauldrons and epaulières, genouillières, and broad sollerets. This brass is a palimpsest, the figure of Sir Anthony Daston having been engraved on the back of an earlier one. Part of a shield is visible, bearing in the second quarter *two chevrons gemelles*, and in the fourth, quarterly, *1 and 2 an estoile of 6 points, 2 and 3 an annulet.*

The party were afterwards entertained at afternoon tea at Middle Hill, the residence of Edgar Flower, Esq., which was built by William Taylor, Recorder of Evesham, in 1726, and enlarged in 1776. It was for some time the abode of Sir Thomas Phillips, Bart., who filled it with his magnificent collection of manuscript and printed works. It has been greatly improved by its present owner.

After tea, the visitors returned to Evesham, whence they took the train for home, all having thoroughly enjoyed a most interesting meeting. A deep debt of gratitude is owed to Mr. L. G. Dease, the Local Secretary at Campden, for the excellent arrangements which made the meeting so great a success; to the Rev. Canon Bazeley for his care in drawing up the programme of the meeting; and to the Rev. W. T. Alston for the photographs with which it was illustrated.

THE HALLEWAY CHAUNTRY AT THE PARISH CHURCH OF ALL SAINTS, BRISTOL, AND THE HALLEWAY FAMILY.

By E. G. CUTHBERT F. ATCHLEY.

THE documents which form an appendix to this paper divide themselves into two groups—those relating to the chauntry founded by Thomas Halleway and his wife Joan, in the parish Church of All Saints, Bristol, and sundry wills of various members of the Halleway family.

There is a pleasing variety about the spelling of the name of Halleway. By searching through the churchwardens' accounts for the church, those for the chauntry, the rent rolls, wills, and various deeds, I have come across no less than twenty-four forms of the word:—Halleway, Hallewey, Halleweye, Hallowey, Halloweye, Hallwey, Haloway, Halowey, Halway, Halwey, Holeway, Holewey, Hollewey, Holloway, Hollowey, Hollwey, Holowe, Holowey, Holway, Holwaye, Holwei, Holwey, Holweye, Hoolwey.

It is evidently a place-name, one by no means uncommon in the West of England, and in other parts. From which of the various Halways or Holloways the ancestor of this particular family came, one is not able to say: the nearest is Holloway, by Bath. There was another by Taunton, and another in Devon,[1] in the Hundred of Horugge. The Bristol family in their wills and other documents, executed

[1] *Inquisitions and Assessments relating to Feudal Aids, 1284—1431*, Record Series, 1899; vol. j, p. 425, cuf. pp. 449, 450, 450, 492. A curious coincidence may be noted in that John Halewey was one of the executors of the will of a Walter Horugge, in 1398 (*MSS. at All Saints*).

locally in their lifetime, almost always spell the first syllable with an "a"; but in the later documents the "o" is the more common.

The popular notions of the position and abilities of chauntry priests are somewhat vague, and do not go much beyond the impression that they were a lazy set of ignorant fellows, who were no use to anyone. But the accuracy of the popular idea is open to question. That the worse among the provincial beneficed clergy were apt to set their benefice to hire, and let their sheep be encumbered in the mire, and run to London, unto Saint Paul's, to seek them out a chauntry for souls,[1] may be true; and those chauntry priests attached to cathedral churches may very likely have been, as a body, no great credit to their order. Their duties were more extensive than the mere saying their masses: they generally were expected to be present in choir on frequent occasions, and in most cases required to assist in processions.

Those attached to parish churches were still more busily occupied. Stipendiary priests, as Winchelsey called them in 1305, include all those who celebrated in the church, whether[2] for a short time only, or continuously throughout the year, but who had no certain title there, whether parish chaplains, chauntry priests, or annuelars. Their work was not done when their mass was said, but they were required to be present in the quire,[3] and not elsewhere, at matins, evensong, and other divine service, wearing surplices provided at their own expense. Humility and subservience to their rector or vicar[4] were strongly inculcated, whose duty it was

[1] G. Chaucer, *Prologue to the Canterbury Tales*, ll. 507, sq.; *Complete Works*, ed. W. W. Skeat, Oxford, 1894; vol. iv., p. 15.

[2] Lindewode, *Provinciale*, Lib. III.; Tit. *De celebratione missarum:* Cap. *Presbyteri stipendarij:* Verb. *Stipendarij*; Antwerpie, 1525; fol. clxxj. *verso;* or Oxford, 1679; p. 237.

[3] *Ibid.*, Pars secunda, *Decernimus*: Antwerpie, fol. clxxij.; or Oxford, p. 237.

[4] Lindewode, *Provinciale*, Lib. I.; Tit. *De maioritate et obedientia:* Cap. *Presbyteri*: Antwerpie, fol. lj.; or Oxford, p. 71.

to see that none of the stipendiary priests, ministering in the church committed to his care, neglected divine worship.[1] They were constrained to assist at matins, mass, and the other hours, by singing invitatories, hymns, anthems, responds, grails, and the like,[2] reading lessons, epistles or gospels,[3] and singing the psalms.[4] By "the other hours" Lindewode tells us was meant prime, undern or terce, sext (at mid-day), none or noon-song (3.0 p.m.), evensong, and complin[5] The statutes seemed to him to require them also to be present at the anthem of our Lady (which was generally sung at night-time in his day) if it were sung incontinently after complin, but otherwise not; nor if complin were sung without note. Nevertheless, if the rector or vicar chose to require their presence to sing that anthem they would be bound to obey.

Before they could exercise their office in the church to which they were ordained, they were required to take an oath of willing and reverend obedience to the "president," *i.e.*, the rector or vicar of the church. It was necessary that the oath should be administered to them on the Sunday or festival next after their admission[7] by the rector or vicar, and during mass, so that it might be in the sight of the people and witnessed by them.[8] It further had to be taken before the rector, vicar, or his deputy, or the ordinary of the place; lying open in front of the

[1] Lindewode, *Provinciale*, Lib. I.; Tit. *De maioritate et obedientia:* Cap. *Presbyteri*: Verb. *Parebunt:* Antwerpie, fol. lj.; or Oxford, p. 71.

[2] *Ibid.*, Verb. *Canentes*: Antwerpie, fol. l. *verso*; or Oxford, p. 70.

[3] *Ibid.*, Verb. *Legentes*: Antwerpie, fol. l. *verso*; or Oxford, p. 70.

[4] *Ibid.*, Verb. *Psalmodizantes:* Antwerpie, fol. l. *verso*; or Oxford, p. 70.

[5] *Ibid.*, Verb. *Alie hore*: Antwerpie, fol. l.; or Oxford, p. 70. See also the gloze on Verb. *Parebunt.*

[6] Lindewode, *Provinciale*, Lib. II.; Tit. *De iureiurando:* Cap. *Presbyteri stipendarij*; Pars secunda, *Volumus*; Antwerpie, fol. lxxxij. *verso*; or Oxford, p. 112.

[7] *Ibid.*, Pars prima: Antwerpie, fol. lxxxj.; or Oxford, p. 110.

[8] *Ibid.*, Verb. *Missarum solennia*: Antwerpie, fol. lxxxj.; or Oxford, p. 110.

priests was to be placed some casket or pix of relics, or book of the Gospels,[1] on which they had to gaze whilst swearing, but which they were not bound to touch.

Besides the oath of obedience, they swore not to touch any alms and oblations and such-like, which belonged to the curate; and specially also never to stir up strife between, nor gossip about, the rector or vicar and his parishioners, nor to encourage that sort of thing in any way.[2] The rector or vicar on his part, says Lindewode,[3] ought to receive the oath politely, and with a pleasant remark, and was required by the canon[4] to keep in the church a copy of the statutes regulating the conduct of stipendiaries.

It is, of course, more than probable that these regulations and laws were not always obeyed; but still these chauntry priests had plenty of public work to do besides their private masses: and in many places the terms of their appointment were that they should also visit the sick, keep school, or otherwise assist the vicar. For instance, at St. Nicholas, Bristol,[5] there was a chauntry called "Our Lady

[1] *Ibid.*, Verb. *Apertis*, and Verb. *Sacrosanctis*, Ibidem.

[2] *Ibid.*, Pars prima: Antwerpie, fol. lxxxij., and *verso*; or Oxford, pp. 111, 112. If we may judge by legislation against it, parish clerks and stipendiary priests were much given to that sort of thing.

[3] *Ibid.*, Pars quarta, glose on Verb. *Benigne : i.e.*, suauiter blande: et cum dulci alloquio, vt eos inuitent sua dulcedine et bonitate. et per hoc nititur huius constitutionis lator remouere rigorem et austeritatem (Antwerpie, fol. lxxxiij.; or Oxford, p. 114).

[4] Lindewode, *Provinciale*, Lib. II.; Tit. *De iureiurando*: Cap. *Presbyteri stipendarij*, Pars quarta, *Dicti vero*: Antwerpie, 1525; fol. lxxxiij.: or Oxford, 1679; p. 114.

[5] *Trans. Bristol and Gloucestershire Archæol. Soc.*, 1883–84; viij. 238. There is a copy of the deed refounding this chauntry in the *Vellum-leaved Vestry-book* at St. Nicholas, fol. 25 sq. The mayor of Bristol and his successors are to find and maintain "vnu*m* Cappellanu*m* Morib*us* & scie*n*cia ydoneum cotidie celebratur*um* cu*m* dispositus fu*er*it celebrar*e*: ad altare b*ea*te Marie infra d*ict*am eccl*es*iam ac ad alia diuina s*er*uicia mi*ni*strand*a* & (25 *verso*) exercend*a* in eadem eccl*es*ia om*ni*b*us* temporibus congrius videl*ic*et vbi p*er* Curatum absentari licenciatus no*n* fu*er*it tam diebus ferialib*us* q*ua*m festinalib*us* ad hoc imp*er*pet*u*um ib*ide*m stabilie*n*d*um*." The deed is dated 8 January, 20 Edw. IV. (1481).

Service," refounded by one William Spencer, "to find and maintain a priest to sing in the said church for ever, there to be at all divine service [*i.e.*, choir offices] and assistance to the curate and other in ministration of the Sacraments to the great multitude of the people in the parish." A similar chauntry at St. Ewen's, Gloucester,[1] found a priest to help in the time of divine service and minister to the parishioners in time of the vicar's sickness, necessary business, or absence. At St. John's[2] the Rood chauntry provided an organist as well as a priest, as did also that of St. Christopher,[3] at Cirencester. Assistance to the curate was also demanded of chauntry-priests at Wotton-under-Edge,[4] Minchinhampton,[5] Cirencester,[6] and Westbury.[7] At Newland[8] the priest of the Greyndour chauntry (1445–6) was required to be sufficiently learned in the art of grammar to keep a grammar school, and the priest of Our Lady Service at St. Briavel's[9] had to bring up children in virtue and learning. There is no reason to imagine that Gloucestershire was in any way unique; so that, on the whole, there was not a very great difference[10] between the old stipendiary and the modern "curate." The visitation of the diocese of Canterbury by Warham in 1511 has been printed, and the frequent references to the chauntry-priests serve to show that the rules were as necessary then as at the time when they were first promulgated.

For example, at St. Dunstan's Church,[11] by Canterbury, there was complaint made that "Sir Richard Fordum singeth at his pleasure within the said church at seasons

[1] *Ibid.*, 257. [2] *Ibid.*, 257-8. [3] *Ibid.*, 286.

[4] *Ibid.*, 266. [5] *Ibid.*, 275. [6] *Ibid.*, 284, 286. [7] *Ibid.*, 295.

[8] *Ibid.*, 292. *See* also *Trans.* for 1882–83, vij. 123.

[9] *Ibid.*, vij. 296.

[10] The Harrington Chauntry at Porlock affords an example to the contrary. The chaplains assisted at the quire and other services as elsewhere, but were forbidden by their foundation deed to undertake any cure (C. E. H. Chadwyck Healey, *The History of . . . West Somerset*, London, 1901; pp. 480, 481).

[11] *British Magazine*, 1846; xxix. 299.

uncertain; and when he hath done therewith he will depart, and not help to maintain God's service." At the Chapel of Hothe,[1] in Reculver, "the chauntry priest that is bound to sing there cometh but seldom thither"; and at Reculver parish-Church Sir John Mitchell "doth sow discord[2] between the vicar and his parishioners, and will not distribute holy bread in time of need." Sometimes they fought[3] in the street. Similar complaints of neglected services came from Sandwich.[4] Sometimes the feoffees of the chauntry were at fault,[5] as at Ivychurch. Or the priest would not do "his duty in reading of the Gospel four principal feasts in the year," like Sir William Robynson of Burley.[6]

There was much to be done before a chauntry could be founded. The permission of the bishop, the rector or vicar, and the churchwardens and parishioners had to be obtained. In the present case, Dr. John Carpenter, bishop of Worcester, held an enquiry through Master John Kynggescote, Decr. B., and Sir Thomas Wheton, rector of the parish-Church of SS. John Baptist and John Evangelist, Bristol, and rural dean, on 29th April. Joan Halleway appeared, and deposed that she had come instead of her husband, who for the last three years and more had been confined to his bed by old age: stating further that they proposed to found a chauntry in the parish-Church of All Saints, to maintain a perpetual chaplain there, and to erect a manse, for the same to dwell in, in the churchyard. Thomas Sutton,[7] abbot of St. Austin's Monastery, near Bristol, sent the vicar of the parish-Church of St. Austin, Sir William Chwe by name, to assent and consent to these proposals, on behalf of himself and his convent, who were the rectors. Next, Sir William Roberd, vicar of All Saints, with the churchwardens and two other parishioners,

[1] *Ibid.*, 392. [2] *Ibid.*, 395. [3] *Ibid.*, 396. [4] *Ibid*, 693.

[5] *Ibid.*, 1846; xxx. 265. [6] *Ibid.*, 666.

[7] J. Maclean, *Description of the Hundred of Berkeley* by John Smith, of Nibley, Gloucester, 1885; vol. iij., p. 54. *Vestry Book* at All Saints, p. 81.

expressed their consent and assent. And no one opposing, the episcopal licence was formally granted on 6th May, 1452, and confirmed by the bishop on the last day of June.

But more important than this was the royal licence, without which the chauntry could not be endowed: for the statutes of Mortmain[1] prohibited corporations, whether secular or religious, from holding landed property without the King's special permission. To obtain this, the first step was to apply for the royal licence to aliene land in mortmain. A writ of ad quod damnum was then issued out of Chancery[2] to the Sheriff, to enquire what damage or loss might be caused to the King if the request were granted. On 18th May, 1449, royal letters patent were issued, granting permission to Thomas and Joan Halleway, or the survivor of them, to found a chauntry of one chaplain, to celebrate daily at the altar[3] of SS. John Baptist, John Evangelist, and Dunstan, in All Saints' parish-Church, for the good estate of Henry V. and queen Margaret, and their souls when they had passed from this world; and for the souls of the said Thomas and Joan, their parents, and all their benefactors, and for all the faithful departed, according to the arrangements to be made by the said Thomas and Joan. Further, the chaplain might hold property to the value of £15 a year beyond

[1] *See* Statutes of 7 Edw. I.; 27 Edw. I., st. 2; 34 Edw. I., st. 3; 18 Edw. III., st. 3, cap. iij, and 15 Rich. III, cap. v.

[2] At the time of making the inventory of 1457 they kept the *Adcondampnum* with the other deeds, but I cannot find any trace of it now at All Saints. Sometimes the License was granted without the suing out a writt or any inquisition (*Calendar of the Patent Rolls, 1467—1477*, Record Series, 1900; p. 91).

[3] This altar was apparently under the roodloft, on the right-hand side entering the quire. The chauntry inventory of 1457 mentions "A little tye that standeth between the vicar and the chauntry altar" (*Appendix*, No. V). In the accounts presented on Lady Day, $15\frac{49}{50}$, is the payment of 4s. 4d. for white liming where the roodloft stood, and for stopping the holes, and for breaking down the two altars, and for paving where they stood.

reprises. The damage to the King was assessed at £31 11s. 0d., to be paid into the Hanaper. By royal letters patent, dated 18th June, 1450, additional permission was granted to them to assign to Thomas Halleway, Chaplain of "Haleweys Chaunterye," fifteen messuages, one garden and seven shops, and one penthouse, which they hold of the King in free burgage, of an annual value of sixty shillings (*solidos*), as determined in an enquiry held before the mayor of Bristol, to be held by the chaplain (and his successors) to the annual value of £4 in part payment.

It was the custom in Bristol, and probably elsewhere,[1] for the patronage of the perpetual chauntries to pertain to the mayor for the time being. Although the royal letters patent of 18th June, 1450, speak of Thomas Halleway as "now" chaplain, he was not formally appointed by the mayor until 9th September, 1453, to hold it according to the manner and form prescribed by the "composition" of Joan Halleway, to which he had sworn. The manner of taking this oath, which had to be renewed yearly, is thus described in the *Kalendar* compiled about 1480 by Robert Ricart,[2] sometime Town Clerk of Bristol:—

"It hath been used on the 4th day after Michaelmas, the said new mayor to let summon all the chauntry priests whose compositions are enrolled in the Red Book—that is to say, Everard le Frenshe's priests, Richard Spicer's priest, John Spicer's priest, John Stoke's priest, Walter Frompton's priest, Edmund Blankett's priest, Thomas Halleweye's priest, John Burton's priest, William Canynge's priests, John Shipward's priest, and Thomas Rowley's priest—to come before the Mayor to the Counter, there to take their oaths truly to observe their said compositions; and their said oaths to be made under this form, that is to say, every of them to lay his left hand on the book and his right hand on his breast, making his oath *per sancta evangelia* and *per verbum sacerdotis*."

[1] It was so, for instance, at Reading, at any rate, in the case of Jesus Chauntry at St. Laurence's Church (C. Kerry, *History of the Municipal Church of St. Laurence, Reading*, Reading and Derby, 1893; pp. 32, 33). See also F. B. Bickley, *The Little Red Book of Bristol*, Bristol and London, 1900; j. 132, 188, 194, 196, 200, 210, 212, 219, 223; ij. 129.

[2] *The Maire of Bristowe is Kalendar*, Camden Society, 1872; p. 76.

From the time of Edward I. the town of Bristol was generally granted to the Queen as part of her marriage portion: she usually leased it to the mayor and commonalty, and received the rent; hence arose the title of the "Queen's Chamber" as applied to Bristol. Mr. Bickley[1] says that Henry V. and Henry VI. appear to have kept the town in their own hands; but from the receipt for 63s. 1d. of John Croke, Receiver of the queen Margaret, being part of the £31 11s. 0d. which had to be paid for the licence to aliene land in mortmain for this chauntry, it would seem that the latter King, at any rate, followed the ancient practice.

To return to the "Composition." It is practically the foundation deed and statutes of the chauntry. It has not been included in the appendix, as it has been printed[2] in full, by Mr. F. Bickley, in the edition of *The Little Red Book of Bristol* which he has recently edited for the Council of the City and County of Bristol. The "Composition" is dated 7th June, 1453. It prescribes that a good, honest, and well-ruled man should be found to do and minister, and sing divine service at the aforesaid altar in All Saints' parish-Church (no altar had been mentioned, by-the-bye), such as should be thought good, habile, and convenient, by the vicar and churchwardens for the time being, at every voidance of the said chauntry, whether by death or otherwise; the then mayor of Bristol overseeing and effectually examining him. Immediately after having approved the candidate, the mayor shall give him the chauntry in writing under seal of his office, and the priest must then "take his oath on a book, to keep his said divine service after the form of this composition; and so yearly to be sworn to the same the morn upon the feast of St. Michael the Archangel, before the said mayor," who, with his successors, is declared "for evermore to be true and very patrons" of this chauntry. Taking the oath upon a book is an additional ceremony

[1] Francis B. Bickley, *The Little Red Book of Bristol*, Bristol and London, 1900; vol. j., p. xiij.

[2] *Ibid.*, vol. ij., pp. 199 sq.

to what we have seen was required by the English canon law; perhaps experience dictated it, as making the oath seem more binding.

Besides being "expectant and attendant" in his chauntry, the chaplain had to be present in the quire of All Saints' Church at all times convenient; viz., matins, lauds, mass, evensong, complin, and anthem of our Lady by note, or "otherwise as other priests therein be, and as the rule of the quire in the same church shall require": the punishment of disobedience to this rule was expulsion from his chauntry. This clause hardly goes beyond the requirements of the canon law; attendance at the daily anthem of our Lady is made compulsory, so that the questions discussed by Lindewode[1] do not arise.

In the third section the persons who benefited spiritually by the chauntry are enumerated. They are Henry VI. and his queen Margaret, their good estate while alive, and their souls when dead: the soul of Thomas Halleway; the good estate of his wife Joan and her soul when dead; the good estate of Richard Hatter,[2] and his soul when dead; the souls of Simon Halleway, Margery Halleway, Nicholas Hasting, John Halleway, and William Skyrmote,[3] all good doers and helpers of the chauntry, and all Christian souls. We are not told what the daily mass was to be; but the churchwardens' accounts call the altar at which it was said the morrowmass altar. Once in the week the priest had to say a mass of our Lady on one day, and a mass of *Requiem* on another day. The daily mass in summertide was to be begun as 6.0 a.m. struck at St. Nicholas, and in wintertide at 7.0 a.m., so that the priest might be ready "to help all other divine service in the church as the rule of the quire shall require."

[1] Lindewode, *Provinciale*, Lib. I.; Tit. *De maioritate et obedientia*; Cap. *Presbyteri*: Verb. *Alie hore*: Antwerpie, 1525; fol. l.: or Oxford, 1679; p. 70.

[2] Richard Hatter died in September, 1457, and left a legacy to this chauntry (T. P. Wadley, *Notes . . . of the Wills . . . at Bristol*, Bristol, 1886; pp. 133, 134). According to Ricart, he was Bailiff in 1443, Sheriff in 1452, and Mayor 1455.

[3] A man of this name was bailiff in 1444.

The chaplain's "salary or pension" was to be £6 6s. 8d., paid in quarterly instalments by the churchwardens, and he lived rent free in the new house lately built in the churchyard. His sole expenses were the provision of singing bread and wine, *i.e.* the wafers and wine used in singing mass. The churchwardens managed the chauntry property, the vicar and parishioners overseeing, and the mayor assisting, while the chaplain was forbidden to meddle in the matter. He had the custody of the vestments and other ornaments, but every quarter the vicar, who held one of the keys of the coffer in which they were kept, and the "worthiest" parishioners inspected them to see that nothing was lost or pledged, or otherwise disposed of: the result of one of these inspections may be seen in the inventory printed in the appendix, and noticed later on. The daily vestments and ornaments were kept in a separate coffer by the chauntry priest, and a separate inventory of the ferial ornaments was made: an undated specimen is given in the appendix.

The annual obit was kept on the Tuesday before the feast of St. Lucy V.M., 13th December, in the following manner and form:—"First that there be by note Placebo and Dirige said on the eve, and that there be at the said Placebo 20 priests and 2 clerks, and so the morrow at the mass of Requiem: and when the said mass is finished, the said procurators [churchwardens] and their successors to pay to every of the said priests 4*d.* and to every clerk 4*d.* And that the 4 orders of Friars be at the said obit at Dirige and at mass forsaid; and the said procurators to pay to the Greyfriars 6*s.* 8*d.*, and to every of the other orders 3*s.* 4*d.*; and to the parish clerk for ringing of 4 bells at Dirige from the hour of one unto 7, and on the morrow from 9 unto 11, 2*s.*, and if there be 5 bells 2*s.* 4*d.*; to the bedman to proclaim the said obit 4*d.* Also to be dealt at the said mass in money to the poor people 50*s.*, every that will come a penny, and in especial to those that have most need that they may be first served. And that the priest of the said chauntry

be there next the vicar of the said church to oversee the said obit, that it be done in all things that belongeth thereto."

The civil authorities were desired to be present, and were paid at the following rate:—The mayor, 6*s.* 8*d.*; the sheriff, 3*s.* 4d.; each bailiff, 20*d.*; the town clerk, 12*d.*; the sword-bearer, 4*d.*; and 12*d.* to be divided among the sergeants. But if they did not attend they were to receive no money. At the same time the vicar was to be paid 3*s.* 4*d.* for his "diligence" in the obit, and "to be well-willed in the chauntry." The chauntry accounts were kept by the churchwardens, who received 6*s.* 8*d.* apiece for "their true and effectual service and diligence." All moneys belonging to the chauntry were to be put in a coffer provided by Joan Halleway and locked with four keys, of which the mayor was to keep one, the vicar of All Saints' another, the "worthiest man" of the parish a third, and the churchwardens the fourth.

Two inventories of the goods of the chauntry will be found in the appendix, the first dated 27th March, 1457, and the second undated. The second is short, and only gives the ferial or everyday ornaments, those in the sole charge of the chaplain; while the first is a complete list of all the goods. The inventory begins by stating that the wardens had bought a new "Tye" or chest, with two locks, for some of the ornaments, having fixed inside a small compartment with three locks to hold the deeds relating to the chauntry property, the King's licence with the writ of inquisition, and other documents. In the large chest was the plate and vestments: two chalices[1] with their patens, one silver-gilt weighing 21 oz., the other for every day, not all gilt, weighing 12¾ oz.; a silver pax-brede with a representation of the Trinity upon it, weighing 8 oz., and one with a vernacle or portrait of our Lord's face,

[1] In the inventory of the church goods of All Saints, made in 1469, is: "hallewey-ys Ch*a*untery *videlicet*, Chalys. Jn P*ri*mis a chalys all gulte weyeng xx vnc*es* & iij q*uarter*ys. Jt*em* a whyte Chalys party gulte xiij vnc*es*" (*Vestry Book*, p. 346).

covered with glass for every day, for the Kiss of Peace; two silver cruets weighing 6¾ oz., and two of tin for every day, for the wine and water to make the chalice; two latten candlesticks with lions "on the foot," probably as feet. The accounts for 1465 (?) have a payment of 4*d.* for "soldering of the two lions upon the candlesticks, the which stand upon the chauntry altar."

The vestments were kept in two "misters," evidently large cases, and comprised two "pairs" of vestments, one of bawdkin, green and black silk, and the other, the everyday one, of bawdkin, green and red silk, powdered over with white and blue flowers. By a "pair" of vestments is meant chasuble, stole, fanon, alb, amice, girdle, and apparels. The over and nether-fronts—sometimes called dossal and frontal by ecclesiastical tailors—were two stained (*i.e.* painted) cloths, the over of the Passion, the nether of the Three Kings of Cologne (*i.e.* the Magi); the riddells[1] at each end of the altar were stained in like manner with the Passion, and lined at the back. There was a second nether-front, stained with St. John the Baptist, besides two smaller stained cloths for every day. The altar-linen comprised two corporasses with three cases, one of cloth of gold powdered with *fleurs-de-lys*, and the other two of needle-work. Upon the altar lay, as was becoming usual at that time, a cloth of hair, and the three succeeding cloths prescribed by the canon law were in duplicate, and of three qualities. We are further told the order in which they were placed. On the altar (over the hair) lay the canvas cloth; on the canvas one of crestcloth, a cheap sort of linen; and uppermost of all one of brabant-cloth, one of the finer qualities of linen. Out of mass time, the altar and its cloths were covered with a canvas cover.[2] No

[1] Riddells or costers were curtains hung at the north and south ends of the altar. Sometimes the word is used also for the rod which supported them. See *Some Principles and Services of the Prayer Book Historically Considered*, edit. J. Wickham Legg, London, 1889; p. 101.

[2] For further information concerning the altar linen, see a paper in *Transactions of St. Paul's Ecclesiological Society*, 1896—1900; vol. iv., pt. iij., pp. 147 sq.

books are mentioned, but in the long inventory[1] of the church goods, taken in 1469, in the "Jnventary of masse-bokes," is "the Ch*a*untry booke be-gynnyng the thryd lefe Concede quesum*us* and endyng the last lefe safe on Delic": it was supported by a desk and not by a cushion. Two tapers for the candlesticks, and two torches for the obit, were also provided.

The accounts of the chauntry are in loose quires, fairly well preserved. The earliest is for 1463, and the latest 1540, but several of the intermediate years are missing. The receipts come from properties in the Shambles[2] or Worship Street — five "places" and a "swine-hulk — which in 1463 brought in £7 13s. 0d.; in Lewen's Mead — three "places" — returning £9 5s. 4d; and a large building called "The Through-House," presumably from the lane or passage leading through it from Corn Street to St. Nicholas Street, in Forster's or Fisher Lane. This latter "house" contained six "tenements," three cellars, a hall and a storehouse, and three "chambers," and brought in £3 17s. 6d. in 1463. In 1465 (and afterwards) there is a receipt of 7*s.* 4*d.* for the rent of a garden in the Market. The only other noteworthy receipt is "for the loan of the black cloth," *e.g.* in 1464. It is rather strange that this was the only decent herse-cloth in All Saints' Church for some time, until Alice Chester (whose will was made 10th December, 1485, and proved on 6th February, 14$\frac{85}{86}$), gave another. This benefaction is recorded in the oft-quoted *Vestry Book*, p. 141, in these terms: "The said Alice, considering that no herse-cloth was in the church of any reputation in valour, saving only a herse-cloth that Thomas Holwey ordained for his own anniversary, for the love and honour that she had unto Almighty God and to all christian souls, and for the ease and succour of all this parish, unto whom she owed her good-

[1] *Vestry Book*, p. 339.

[2] In vico de Worshyp strete alias Shamellys sive bocherye (*Itinerarium Sim. Sim. et Will. de Worcestre*, Cantabrigiae, 1778; p. 170).

will and love in her days, as it appeareth in this church, as it is afore expressed and rehearsed, she hath given a herse-cloth of black worsted, with letters of gold of H and C, and A and C, and a scripture in gold, Orate pro animabus Henrici Chester et Alicie uxoris eius."

The annual expenses were chiefly repairs to the chauntry property, the priest's stipend, and 6s. 8d. rent for the chamber which the said priest dwelt in. Besides these, they provided the oil for the lamp in the quire, which burned before the Eucharist, for which the Halleways had set aside 8s.; and as the oil did not cost quite as much as this, with the surplus the wardens provided two tapers, one of 7 lbs., the other of 8 lbs. weight, one called our Lady's taper, and the other for the Easter[1] Sepulchre; but in 1472 and after, they seem to have found instead two Sepulchre tapers of 8 lbs. each. The torches held at the yearly obit weighed from 28 lbs. to 31 lbs.; that for the altar, *i.e.* for use at the sacring, was smaller. The altar-tapers usually weighed 3 lbs. the pair, but in 1463 they weighed 2 lbs. each; in either case they were vastly different from the little dwarf candles, on long painted sticks, which now-a-days are seen on some of our altars.

In 1503 the alb of the red vestment was mended. It was probably that given by Sir William Warren, sometime priest to the chauntry. The record of his benefactions in the afore-mentioned *Vestry Book*, p. 85, is as follows:—

Syr Wyllm Warens chauntry preste *g*af vn-to h*is* Chauntry th*at* ys to sey holwey-ys Chauntry a peyr of Redde bawdekyn vestym*entes* to be songe yn the holydayes. God haue m*er*cy on h*is* soule (Qui obijt in die Conu*ercion*is s*ancti* pauli A*nno* do*mi*ni mill*e*simo CCCC lxxxij° *in a different hand*)

Jt*em* the seyd s*ir* Wyllm Warens *g*af to the seyd Churche to

[1] The Easter Sepulchre was an erection (usually temporary) near the north end of the High Altar, wherein the Eucharist and a crucifix were ceremonially buried on the evening of Good Friday until early on Easter morning. For information on the lights before the Easter Sepulchre (and others), see *Some Principles and Services of the Prayer Book Historically Considered*, edit. J. Wickham Legg, London, 1899; p. 32.

the lawde of All-myghty god & encrese of Dyuyn s*er*uyce iiij Bookys of prycke songe

J*t*em the seyd s*ir* Wyllm *g*afe to the seyd Churche a Portewouse to be chaynyd yn the Churche to the ease of all maner Prestys to sey her s*er*uyce yn when they haue not her own bokys w*ith* hem and all-so payed for the chaynynge. God haue m*er*cy on hys Sowle Am*en*. the seyd booke ys cheyned to a pelo*ur* yn the Sowth syde of the Churche wyth-yn the Entyrclose by-for the Roode Awter.

In 1511 the chauntry wardens provided a new rope for the morrowmass beil.

The payments for the annual obit amount to a considerable sum. In 1463 it was only 21s. 8d.: in 1500 it was £3 15s. 9d.; worth considerably more, of course, in our money, perhaps nearly twenty times as much. In 1500 and after, instead of the clerk, the suffragan, and the bedman, we find in the year's-mind costs the clerk, the sexton, and the bellman. The suffragan, or assistant-clerk, was called Nicholas from 1494 to 1511, and he lived in the property belonging to the chauntry called the Through-House, in Forster or Fisher Lane: the same person, living in the same place from 1512 to 1518, is called "Nicholas our sexton." His wife is mentioned in 1518.

In 1500 the sum of 8s. 4½d. was spent upon a lent vestment—the colour, of course, was white.

Not the least interesting is the list of music bequeathed to the church by William Bridgeman, formerly the parish clerk, which appears at the end of the Chauntry-Book for 1524. There was a condition that no children should be taught out of these books, comprising books of masses, anthems, carols, the passion sung in the roodloft on Palm Sunday, and numerous other musical compositions. Of the masses one was apparently composed by the donor, on the theme of a s c e n d o a d P a t r e m; another in three parts, and a third, of Dr. Fairfax's making, called "double de-sol-re."

The following is a list of the incumbents of the chauntry. The date, unless otherwise mentioned, is the earliest in which

each name appears in the chauntry books. If taken from elsewhere, the source is indicated:—

1453. Thomas Halleway, the first chaplain (Certificate of induction in appendix, No. iij.).

1464. William Waryn or Warren. Died 25th January, 1482. (*Vestry Book*, 85).

1488. John Pennyston.

1496. William Wood. The accounts presented Christmas, 1496, show that Pennystone was paid for the first half-quarter, and Wood for the rest of the year. Those presented 25 March, 1508, show that Wood was paid for half a quarter and John for the rest.

1507. John Muriell.

1514. John Coke. In 1529, besides sir John Coke, one sir Nicholas was paid for the first two quarters, and one sir William for the last two. In 1531 besides sir John, five weeks' board and rent were paid for sir Thomas Meryfyld. The last payment to Coke is in the accounts presented 25 March, 1537.

1537. Dunstone [Mabbe]. His "fyrste comynge" is mentioned in the accounts presented 25 March, 1538. In April, 1537, he borrowed £3 6s. 8d. from Thomas Paty, junior, John Pyne, Francis Bursa, and Thomas Polsam, obliging himself to repay 13s. 4d. every Lady Day (MS. at All Saints, Bristol).

1548. David Dowell, aged 53 (Chauntry Certificate, 2 Edw. VI., quoted below).

When the chauntries all over England were appropriated by the Protector Somerset, in the second year of Edward VI., Halleway's chauntry naturally fared with the others: and the following certificate[1] is about the last official document pertaining to it:—

The Parish of All Saints where are huselling people the number of 180 or thereabouts.

Holwey's Chauntry

Founded and incorporated by Thomas Holweye and Joan his wife, by licence obtained of King Henry VI., and the lands given in mortmain, for the finding and maintaining of a chauntry priest to sing in the said church for ever, for the relief of the poor people,

[1] From the *Transactions of the Bristol and Gloucestershire Archæological Society*, 1883–84; viij. 245.

with such yearly alms as here in the title of reprises shall be declared, and also to give certain money yearly to the mayor for the time being, the sheriffs, the town clerk, the sword-bearer, and the mayor's four sergeants, being present at the yearly obit there to be kept for the said founders, to see the same done accordingly, &c.

David Dowell incumbent there, of the age of 53 years, having no other living than in the said service by year, 113*s.* 4*d.*

The lands and tenements belonging to the same are of the yearly value of £12 18*s.* 8*d.*

In reprises yearly, 2*s.* 4*d.*

To the relief of poor people yearly, 50*s.*

To the mayor, sheriff, and other officers beforenamed, according to the said foundation yearly, 15*s.* 8*d.*

And so remaineth clear by year £9 10*s.* 8*d.*

Plate and jewels to the same belonging, none.

Ornaments thereto appertaining, valued at 15*s.*

The earliest mention of the Halleway family in Bristol appears to be in the Subsidy Roll of 1 Edward III., 1327, wherein we find one Robert Halewy, sub-taxator, of the ward of St. Mary[-le-Port], assessed at £4, and a David de Haleweye, assessed at £1, of the same ward.[1] Neither name occurs in the Tallage of 6 Edward II., so that the presumption is that the two Halleways came to Bristol after 1312. When these two died, and what issue they left, does not appear; but a David Halewey witnessed two deeds in 1342, and a Robert Halewey witnessed two others in November, 1346, and several in 1357.[2] In 1350 one Thomas Halewey, of Bristol, a layman, was granted an indult to choose a confessor who should give him, being penitent, plenary absolution at the hour of his death, with the usual safeguards.[3] One Edith Halewey,[4] in the same year, owned a curtilege in the parish of St. Philip. In 1359 Thomas, Abbot of Tewkesbury, leased his

[1] *Trans. Br. and Glouc. Arch. Soc. for* 1894–95; xix. 276, 277.

[2] MSS. at All Saints' Church, Bristol.

[3] *Calendar of Entries in the Papal Registers, Papal Letters,* Record Series, 1897; vol. iij., p. 404.

Great Red Book of Bristol, fol. 175 *verso* (at the Council House).

tenement in High Street, Bristol, between the Ropseld and St. Mary Street, to one Symon Halewey, his wife Joan, and their eldest son Thomas, at a rent of 64*s.* per annum.[1] Joan died in 1388, and her will is printed in the appendix to this paper. Soon afterwards Simon married again, but his second term of connubial happiness was short; for he himself died in June, 1389, leaving a widow called Margery, who consoled herself with a second partner, by name Nicholas Hastyng, and herself died in 1414. By comparison of the various wills, it appears that at John Halleway's death she and Simon had the following children: Thomas, afterwards a friar; John; Joan, married to Robert Brayn, butcher; and "Little Joan." Mrs. Margery Hastyng lost her second husband in 1398, and in the spring of 1403 she probably fell sick; at any rate, something occurred to induce her to make her will. From this we find that her stepdaughter, little Joan, had married one Thomas Halleway: what blood-relationship there was between them we do not know, but they had been married long enough to have two children, Nicholas and Thomas. When she made her last will, in 1413, Thomas and Joan Halleway had three sons, Nicholas, Thomas *junior*, and John; but when in 1449 Thomas *senior* made his will, Nicholas seems to have been dead, while another son had been born, called William. All these were in holy orders, as is shown by their prefixes—Sir Thomas, Master John, and Sir William. With them this branch of the family became extinct. The eldest was probably the first incumbent of his father's chauntry, and perhaps may be identified with the sir Thomas Halleway who was cited with Master Wyllyam Twybe and Sir Harry Colas[2] for neglect of divine service at All Saints' Church in 1438 by the churchwardens

[1] A pair of endentures, preserved at Bristol Museum Library, Nos. 41 and 172.

[2] *Vestry Book*, p. 488. In the margin, against this entry, is written "Loke for the Kalendarys": so it would seem that all three were Kalendars. Sir Harry Colas was, at any rate, and is recorded as such among the Good Doers unto the church (*Vestry Book*, p. 80).

Thomas Halleway and John Gosselyng.[1] Of the ancestry of Thomas Halleway, who married Simon Halleway's daughter Joan, nothing appears. He may have been a son of that Richard Halleway mentioned in Simon's will; perhaps descended from one or other of the Halleways mentioned in the Subsidy Roll of 1 Edward III., and possibly through the Thomas who obtained the special indult in 1350. On the other hand, he may have been no relation at all. The names were common enough. A Thomas Halleway was churchwarden[2] of All Saints in 1392, but whether the same as the founder of the chauntry one cannot definitely say: it is possible—though, if so, he must have been rather young at the time, as the latter did not die for sixty years after.

Thomas Halleway was elected churchwarden of All Saints in 1411, 1421, and 1438. In 1419 he became a bailiff of Bristol, in which year he seems to have been first made a member of the Common Council. He became sheriff in 1424, but did not attain to the mayoralty until eleven years later. He was probably of great age when he died, for we learn from his wife's deposition at the enquiry on behalf of the bishop, regarding the founding of the chauntry, that he had been confined to his bed for three years and more *pre nimia senectute egrotus*.

What relation Felicia Holeway[3] bore, if any, to the others does not appear: she seems to have had neither husband nor

[1] The will of John Gosslyn, *belyetter*, is abstracted in Wadley's *Notes*, p. 133. He died in 1450.

[2] The authority for this statement is a grant of 60s. silver annual rent to one Philip Excestre out of a house in High Street (called *the Green Lattice*), by Thomas Marchall, vicar of All Saints, Reginald Knap and Thomas Halewey, churchwardens, dated 16 September 16 Ric. II., Thomas Knap *mayor*, John Bannebury *sheriff*, John Burton and Richard Hantesford, *bailifs and chamberlains*. It is curious that there was again a Thomas Marchall vicar in 1407 who died in 1434, and yet in 1397 the vicar was Thomas de Wyndesore (*Archæological Journal*, 1901; lviij. 176. Both MSS. are at All Saints. The names of the official witnesses agree with Ricart. Philip Excestre and Thomas Halewey were executors of Simon Halewey's will.

[3] T. P. Wadley, *Notes . . . of the Wills . . . at Bristol*, Bristol, for the Bristol and Gloucestershire Archæological Society, 1886; p. 103. Abstracted from *The Great Orphan Book of Wills*, fol. cxxxvj.

children living at the time of her death in the early part of $14\frac{18}{19}$. She speaks of Edward Forster, lately her husband, by whom she wished to be buried in St. Mary-le-Port Church; but as she was called by another surname, the presumption is that she had married again, and been left a widow for the second occasion in a short space of time. With but few exceptions, her property was all divided amongst her servants.

Joan Halleway is stated in the 15th century Vestry-Book of records and accounts at All Saints' Church to have died on 1st March, 1455, in which case she was about 70 years of age.

The legacies of Thomas and Joan Halleway are recorded in the Vestry-Book just mentioned, in the following terms, p. 137:—

Thomas Holwey that dyed xiij day of December An*no* d*omi*ni M° CCCC° liiij. [*sic*] & Joan h*is* wyf th*at* deyed the ffurst day of Marche An*no* d*omi*ni M° CCCC^mo^ lv^to^ & lyeth beryed bothe by-for the Crosse Awtyr vndyr the grete Stone y-Joyned to the Greese

Jn p*ri*mis the yffownded j Ch*a*untry yn the seyd Churche in p*er*petuu*m*. [(as h*it* aperyth by th*er* mortyfycacyons exp*re*ssyd & by her composycyons y-orderyd) *in another hand*].

J*t*em they *g*aue for euyr to fynde the lampe by-for the p*re*-cyouse Sacrament yn the Qwer—viij*s*.

J*t*em they *g*aue for euyr for j Chambyr that the seyd preste dwellyd yn the wyche they bylded yn the Churche*y*orde on her own Coste—vj*s*. viij*d*.

J*t*em they *g*ave vn-to the seyd Churche j worschypfull Jewell w*ith* ij Angelys y-callyd a monstrande to ber the p*re*cyouse Sacrament w*ith* dyue*r*ys Relykys closyd yn th*e* same of lvij vnc*es* & q*uar*te*r*.

J*t*em they *g*ave j Masse-boke to the hye Awtyr

J*t*em they ordeynyd j Bell to be ronge dayly to Masse & hynge hym & let close the Rope yn j Case of lede for all man*er* wedryng*es*

J*t*em they *g*ave to the beste Sewte of vestyment*es*—xx*li*.

J*t*em they *g*ave to the byldyng of the Crosse Jle—xx*li*.

J*t*em mor-ouyr moste wellwyllyd to all good werkys of the Churche to ouyr-see the Rep*ar*acyons of the Churche [iiij tymes a *y*er*e* goyng yn h*is* Cote ‖ *struck through. Against it in the margin is written* Meyre & aftyr he was meyr*e*.]

J*tem* they made the Setys yn the Churche by-for seynt Dunston-ys awtyr p*rice*—iij*li*.

God haue m*er*cy on her Sowlys.[1]

On the 24th November, 28 Hen. VI. (1449), Thomas Halleway put part of the property with which he intended to endow his chauntry into the hands of two feoffees, Thomas Rogers and John Streynsham. It is described in the endenture as *quatuor celaria octo cameras et unam penticiam vna cum venella adiacente et omnibus suis pertinentiis* situate *in Olde corn stret in parochia sancte Werburge virginis*, and is commonly called in the rentrolls "the Thorowe House." Provision was made for their handing this property over to the chaplain when he should be appointed, and there are two deeds, a grant and a power of attorney to deliver seisin, existing at All Saints which show that this was done two days after his appointment by the mayor. Three rentrolls of the same property as the rest of the Chauntry rentrolls — The Thorowe House, The Schameles, and Lewynys Mede — are headed *Rentalia Johanne Hallewey vxoris Thome Hallewey de diuersis terris et tenementis in villa Bristollie et suburbia eiusdem ville A festo Sancti Michaelis archangeli Anno regni regis Henrici VI*^{ti} *xxv*^{o} *vsque ad idem festum in anno reuoluto per annum* (29th September, 1446—1447). The other two are dated *a festo Natalis Domini* 26 Hen. VI. (1447—1448), and 27 Hen. VI. (1448—1449). It would seem that for the three years of Thomas Halleway's life before he made his will and drew up the above-named endentures his wife received the rents and managed the

[1] An annual obit was to be kept on Tuesday in Whitsunweek, as the result of a compromise between Thomas Halleway and the Master and Brethren, at the House of St. Katharin, Bristol, for Thomas and Joan Halleway, and the late Simon and Joan Halleway, Nicholas and Margaret Hasting, and John and Juliana Wilkoke. The dispute was over 3*s*. rent assize said to have been bequeathed the latter by Margaret wife of Robert Scherdeville (more correctly Gerneville). Robert's will is preserved at All Saints (2 copies), dated Monday after the feast of our Lady's nativity, 1346. Probate granted 4 Kal. October, 1346. For the obit see *Proceedings of the Clifton Antiquarian Club*, 1889—1893; vol. ij., pp. 258 sq.

property, the reason perhaps being his old age and infirmity.

Besides these *Rentalia*, there is at the church a large number of deeds relating to the property of the chauntry, which are as yet uncalendared.

It remains to say a few words about the wills in the appendix. Joan Halleway, Simon's first wife, made her last will and testament on 27th August, 1388: desiring to be buried at All Saints' Church. Amongst the bequests may be noticed the following cups and vessels: a mazer, a silver "pece," half-a-dozen spoons, a brass pot, a ewer and bason, and two brass dishes, one with four rings. In clothes,—an *armulansa*, which usually signifies a military tunic fastening across the chest, and a remnant of blue cloth for making a gown. A silver girdle, and a silk veil for the statue of our Lady in the Pillar, in All Saints' Church, are the chief items besides.

Her husband, Simon Halleway, made his will on 12th June, 1389, wishing to be buried before the image of our Lady in the Blackfriars' Church at Bristol. Four torches were to burn around his body at his funeral. Besides the disposition of his house-property, we may notice the bequests of four silver "peces," his *ciphi*[1] called a "mazers," another called a "Note," a bason and ewer, and six silver spoons, a long knife, and his silver girdle.

Simon's son John wished to be buried before the Rood in St. James' Church, Bristol; and the bulk of his will, dated 20th November, 1404, is taken up with the disposal of his houses and tenements.

Margery Hasting made a will on 16th March, 1402-3, desiring to be buried by her husband, Nicholas, at St. James' Church. In this she bequeathed a girdle pressed (ornamented, or clasped?) with silver, a gold ring, three silver, a brass pot, and a *Ciphus* called a "Mazer"; as well as two

[1] For a full account of the English medieval drinking-bowls called Mazers, see Mr. St. John Hope's paper in *Archaeologia*, 1887; vol. l., pp. 129 sq.

veils, four chemises, three gowns, one lined with green and another with blue, and a third black, a blue tunic, and a green hood. She lived, however, to make another will on 12th December, 1413, in which the following articles are named: two girdles "pressed" with silver, four *Cyphi*, one of silver with a cover, another "de Mazer" with a cover, another, to wit, a "plat pece," four basons with ewers, a gold ring, a dish, two silver, a brass pot, a big dish with a tripod stand, and divers other household goods.

Thomas Halleway made his last will and testament 10th October, 1449. He was buried before the Rood Altar in All Saints' Church. Amongst his legacies may be mentioned 20*s*. to the fraternities of the Chapel of Assumption on Bristol Bridge, and of St. John Baptist (the Tailors' Gild, at St. Ewens').

The following genealogical table may be of assistance in demonstrating the meagre extent of our knowledge concerning the pedigree and connections of the Halleway family.

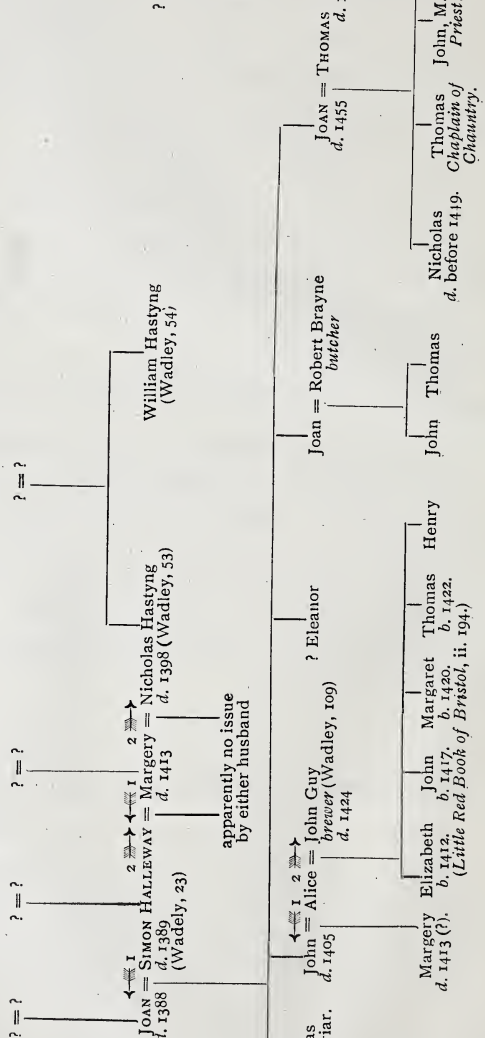
In conclusion, I must thank all those who have afforded me every facility in transcribing the documents printed in the appendix,—to wit, the Rev. H. Boustead, Vicar of All Saints, Mr. Alderman Francis F. Fox, and Mr. Tremayne Lane, who obtained for me the necessary permission from the Council to inspect and transcribe from the City Records in his official custody.

I.—DOCUMENTS RELATING TO HALLEWAY'S CHANTRY.

1.—THE ROYAL LICENCE, 18th MAY, 27 HEN. VI., 1449.

Henricus dei gracia Rex Anglie & Francie & Dominus Hibernie Om*ni*b*us* ad quos p̄ręsentes littere peruen*er*int; salutem Sciatis q*uo*d de gracia n*ost*ra sp*eci*ali concessimus & licenciam dedimus pro nobis & heredib*us* nostris quantum in nobis est Thome Halewey & Johanne vx*or*i eius q*uo*d ipsi vel eor*um* alter qui sup*er*uix*er*it quandam Cantariam de vno Capellano diuina singulis diebus ad altare s*ancti* Joh*ann*is

UNLOCATED NAMES.—ROBERT HALLEWAY, DAVID DE HALEWAYE of St. Mary's Ward 1327.
THOMAS HALLEWAY, layman, 1350 *(Papal Indult)*.
EDITH HALEWEY, 1350.
RICHARD HALLEWAY, alive in 1389 *(Simon's will)*.
FELICIA HOLEWAY, died 1417. Doubtful if same family (Wadley, 103).



Bap*ti*ste sancti Joh*ann*is Euangeliste & sancti Dunstani in eccl*e*sia O*mni*um sanctor*um* Bristoll*ie* infra dioc*esem* Wigorn*iensem* pro bono statu n*ost*ro ac carissime Consortis n*ost*re Margarete Regine Angl*ie* ac animab*us* n*ost*ris cum ab hac luce mig*rauer*im*us* ac a*nim*ab*us* d*ict*or*um* Thome & Johanne ac a*nim*ab*us* parentu*m* suoru*m* & o*mni*um benef*act*or*um* suor*um* ac a*nim*ab*us* o*mni*um fideliu*m* defunctor*um* iuxta ordinac*ion*em d*ict*or*um* Thome & Johanne vel alt*er*ius eor*um* aut heredum vel executor*um* illius eor*um* qui sup*er*uix*er*it in hac parte faciend*am* imp*er*p*et*u*u*m celebratur fundare erigere creare & stabilire possint vel possit quam quidem Cantariam cum sic fundata creata erecta & stabilita fu*er*it Haleweys Chaunterye p*ro* p*er*petuo nuncupari volum*us* & appellari Et vlt*er*ius concessimus p*ro* nobis & heredib*us* n*ost*ris p*red*i*ct*is Capellano Cantarie p*red*i*ct*e cum sic fundata erecta creata & stabilita fu*er*it q*uo*d ipse & successores sui p*er* nomen Capellani Cantarie de Haleweys Chaunterye sint p*er*sone habiles & in lege capaces ad p*er*quirend*as* terras ten*ementa* reu*er*siones redditus seruicia annuitates & alias possessiones quascumq*ue* de quacumq*ue* p*er*sona siue quibuscumq*ue* p*er*sonis ea sibi dare concedere & assignare volentibus seu volente q*ue* legare. et q*uo*d idem Capellanus & successores sui p*red*i*ct*i p*er* idem nomen in quibuscumq*ue* Cur*iis* & placeis n*ost*ris ac aliis Cur*iis* quibuscum*que* & in quibuscumq*ue* acc*ion*ib*us* & pl*ac*itis realib*us* p*er*sonalib*us* mixtis pl*ac*itare & pl*ac*itari respondere & responderi valeant Et insup*er* concessim*us* p*ro* nobis & heredib*us* n*ost*ris p*red*i*ct*is p*re*fato Capellano Cantarie p*red*i*ct*e cum sic fundata erecta & creata & stabilit*a* fu*er*rit q*uo*d ipse t*er*ras ten*ementa* redditas seruicia annuitates & alias possessiones quascumq*ue* que de nobis siue de aliis tenent*ur* in capite de p*re*fatis Thoma & Johanna seu eor*um* alt*er*o seu de quacumq*ue* alia p*er*sona seu de quibuscumq*ne* aliis p*er*sonis sibi placu*er*it vsq*ue* ad valorem quindecim librar*um* p*er* annu*m* vlt*ra* reprisas adquirere & ea a p*re*fatis Thoma & Johanna seu eor*um* alt*er*o seu ab huiusmodi p*er*sona seu p*er*sonis recip*er*e possit & tenere sibi & succesorib*us* suis in sustentac*ion*em suam imp*er*p*et*u*u*m absq*ue* impedimento seu impetic*ion*e n*ost*ri hered*um* vel successor*um*

n*ost*ror*um* aut aliorum quor*um*cumq*ue* Statuto de t*er*ris et ten*ementis* ad manu*m* mortuam non ponend*is* edit*o* non obstante Dumtamen p*er* inquisic*ion*em inde in forma debita faciend*am* in Cancellar*ia* n*ost*ra vel hered*um* n*ost*ror*um* rite retornand*am* comp*er*tum sit q*uo*d fieri pot*er*it absque dampno vel p*re*iudicio n*ost*ri vel hered*um* n*ost*ror*um* aut alt*er*ius cuiuscumq*ue* Jn cuius rei testimoniu*m* has l*itte*ras n*ost*ras fieri fecimus patentes Teste me ipso apud Westm*onasterium* decimo octauo die Maij Anno regni n*ost*ri vicesimo septimo [*in a smaller hand* per bre*ve* de privato sigillo & de data p*re*d*ic*ta auctoritate p*ar*liamenti p*er* triginta & vna libris & vndecim solidis solut*is* in hanap*er*io] Rous

The large seal of green wax (half of which remains) is attached by blue and white silk cords, between the attachments of which is "Jrro*tulatæ*." There is another copy in cursive hand and unsealed.

Other royal letters patent, recalling the preceding deed of 8th May, 27 Hen. VI. (1449), grant further permission to the said Thomas and Joan Halleway to assign to Thomas Halleway, now chaplain of *Haleweys Chaunterye*, founded by the said Thomas and Joan, those fifteen mesuages, one garden, seven shops and one penthouse with their appertinences, which they hold of Us in free burgage; of an annual value of sixty *solidos* beyond (*ultra*) reprises, as determined in an enquiry held before William Canynges, mayor of the town of Bristol, and our escheator, and returned to our Chancery. To be held by the chaplain and his successors to the value of four pounds, in part satisfaction of fifteen *libratarum terrarum*[1] *et tenementorum supradictorum*. Westminster, 18th June, 28 Hen. VI. (*i.e.* 1450) (*ffryston*).

The royal seal on green wax is still attached, by thick green and pink silk cords: partly broken.

II.—THE EPISCOPAL LICENCE, 1452.

Reu*er*endo in *christo* p*at*ri ac d*omi*no. D*omi*no Joh*anni* p*er*missione diuina Wigorn*iensi* E*pisco*po. Vester humilis filius & deuotus. Joh*ann*es Kynggescote in Decretis Bacallarius

[1] This phrase seems to signify the amount of land that brings in an annual rent of one pound; so that the whole means "property that brings in £15 *per annum*." See Du Cange, *sub voce* 3. LIBRA. LIBRA TERRAE, ET LIBRATA TERRAE, where the matter is discussed at some length.

[1]omnimodo obedientam & reuerenciam tanto patri debitam[1] cum honore. Mandatum vestrum reuerendum subscriptum vicesimo quarto die mensis Aprilis Anno domini infrascripto[2] recipi in hec verba. Johannes permissione diuina Wigorniensis Episcopus. Dilectis in christo filijs[3] Magistro Johanni Kynggescote in Decretis Bacallario. ac Domino Thome Wheton Rectori ecclesie parochialis sancti Johannis Baptiste ville Bristollie. Decano eiusdem Decanatus nostre Diocesis. Salutem gratiam & benenedictionem. Cum honestus vir Thomas Holwey Burgensis ville Bristollie nostre Diocesis. quandam Cantariam pro salute anime sue vxoris & benefactorum suorum. Jn ecclesia parochiali Omnium Sanctorum dicte ville. erigere fundare & stabilire. Capellanumque in eadem habere. continue perpetuis futuris temporibus celebraturum necnon mansum pro habitacione eiusdem Capellani infra Cimiterium dicte ecclesie parochialis construere & edificare. suis propriis sumptibus & expensis. omnium quorum interest in ea parte consensu & assensu prehibitis. summo opere. ac pia deuocione intendat. prout nobis ex parte eiusdem. extitit intimatum. Vobis igitur coniunctim & diuisim. De quorum fidelitate & industria. plenam & specialem in Domino fiduciam reportamus. Ad inquirendum de & super veritate premissorum omnium & singulorum. & si huiusmodi suggesta. veritate nitantur. assensu & consensu vt premittitur prehibitis. dum tamen aliud canonicum non obsistat licenciam quatenus ad nos & nostram potestatem attinet prestandam & concedendam in premissis. Ceteraque in ea parte necessaria (?) & opportuna facienda & exercenda. committimus vices nostras & plenam in hac parte potestatem. Et quid feceritis in premissis. nos citra festum pentecostes proximum futurum debite & autentice certificetis seu sic certificet alter vestrum. qui prius nostrum mandatum fuerit executus. Datum in palacio nostro Wigorniensi sub Sigillo nostro. xxj° die mensis Aprilis. Anno Domini

[1] In a second copy, *B*, of this document this passage runs: omnimodas obedientias & reuerencias debitas.

[2] subscripto. *B*.

[3] *B* omits *filijs*, and inserts *nobis* before *in*.

mille*s*imo CCCC^mo.^ lij^do.^ Et no*st*re Cons*ecrationis* anno nono. Cuius quid*em* mandati ve*st*ri p*redicti* auc*torita*te. accessi ad[1] eccl*es*iam p*a*roch*ia*lem O*mnium* S*anctorum*[2] p*redictam*. vicesimo nono[2] p*redicti* mensis Aprilis Anno D*omi*ni p*re*scripto.[3] vocat*is* primitus in hac p*a*rte de Jure vocand*is*. vid*elicet* Joh*a*nna vx*ore* p*re*nom*in*ati[4] Thome holwey in [5]cubili suo p*er*[5] tres annos & vltra [6]p*re* nimia senectute[6] egroti iacentis. que no*mine* mariti sui p*redicti* & ecia*m* p*roprii*. co*mper*uit p*er*-sonalit*er*. & ibi p*ro*testata est no*mine* d*icti* sui mariti & p*ropri*o.[7] q*uo*d vellet[8] p*ro* salute a*nimarum* suar*um*-b*enefac*-t*orumque* suor*um*. Jn eccl*es*ia p*a*roch*iali* O*mnium* S*anctorum* p*redicta*.[9] quam*dam*[10] Cantaria*m*[10] erigere fundare & stabilire. Capellanu*mque* in ead*em* h*ab*ere co*n*tinue. p*er*petuis futuris t*em*porib*us* celebraturu*m* necno*n* mansu*m* p*ro* h*ab*itac*i*one eiusd*em* Capellani infra Cimiteriu*m* dicte eccl*es*ie p*a*roch*ia*lis co*n*struere & edificare suis p*ropri*is su*m*ptib*us* & expens*is*. co*mper*uit ecia*m* tu*n*c ib*idem*.[11] no*mine* Thome dei paciencia. Abb*at*is monasterij s*ancti* Augustini iux*ta* Bristoll*ia*[12] d*icte* ve*st*re dioc*esis* & tocius sui Co*n*uentus p*ropri*etario*rum*. p*re*fate eccl*es*ie O*mnium* S*anctorum*. D*omin*us Will*el*m*us* Chwe vicarius eccl*es*ie p*a*roch*ialis* S*ancti* Augustini Bristoll*ie* ecia*m* ve*st*re dioc*esis*.[12] qui no*mine* & vice eor*um* p*re*buit co*n*struccio*ni* & edificac*io*ni euiusd*em* mansi. p*ro* h*ab*itac*i*one h*uius*mod*i* Capellani in cimiterio p*redicto* sic co*n*struend*o* & edificand*o* su*m*ptib*us*[13] & expens*is* p*re*fato*rum*[13] Thome Holwey & Joh*a*nne assensu*m*. & consensu*m*. co*mper*uit si*mi*liter[14] D*omin*us Will*el*m*us* Rodberd vicarius eccl*es*ie p*a*roch*ialis* O*mnium*

[1] ad p*redict*am. *B*.

[2] vna-cu*m* Roberto Core n*otat*orio. auc*torita*tib*us* ap*osto*lica & Jmp*er*iali pu*blico* penultimo die. *B*. A Robert Core was churchwarden in 1450.

[3] sup*radicto*. *B*. [4] p*re*fati. *B*. [5] lecto suo quasi p*er*. *B*.

[6] Omitted in *B*. [7] p*roprij*. *B*. [8] *B* adds: qua*nd*am Cantaria*m*.

[9] an*te*dicta. *B*. [10] *B* omits here.

[11] *B* adds here: *Domin*us Will*elm*us Chwe vicarius s*ancti* Augustini Bristoll*ie*.

[12]—[12] Omitted in *B*. [13] tame*n* p*redicto*r*um*. *B*.

[14]—[14] tu*n*c & ib*idem*. *B*.

Sanctorum predicti[1]. Rogerus Abyndon[2] & Ricardus Knyght[3] eiusdem ecclesie parochialis procuratores [4]& yconomi.[4] ac Willelmus Reynes[5] & Willelmus Jsgar[6] comparochiani. vice & nomine omnium [7]& singulorum aliorum[7] dicte ecclesie parochialis Omnium Sanctorum parochianorum.[8] [9]qui suas presencias personaliter adhibentes. huinsmodi mansi eorum assensum & consensum edificacioni & construccioni eiusdem concesserunt & prebuerunt ac eorum quilibet prebuit & concessit.[9] Vnde omnium[10] & singulorum prenominatorum[10] assensu & consensu vt prefertur prehibitis. facta primo[11] proclamacione. quod si quis vellet aut valeret obicere contra huiusmodi mansi construccionem & edificacionem aut nouum opus nunciare. quod tunc compereret coram me in forma Juris intencionem suam allegaturam & proponituram Et quia nullus comperuit contradictor [12]in premissis nec in aliquo premissorum[12]. vice nomine & auctoritate vestris. iuxta formam mandati vestri. in hac parte michi Directi. licenciam prescriptis[13] Thome Holwey[14] & Johanne. quantum ad vos & vestram potestatem attinet prestiti & concessi in premissis. Ceteraque in hac parte necessaria (?) & oportuna feci & exercui. que tenor dicti vestri mandati in se exigit & requirit. Jn cuius rei testimonium. Sigillum Officij. Decani[15] Decanatus ville Bristollie [16]vestre diocesis predicti presentibus[16] apponi procuraui. Et ego Decanus antedictus ad specialem & personalem rogatum dicti magistri Johannis Kynggescote. Sigillum Officij mei

[1] Omitted in *B*. [2] Churchwarden in 1438, 1444, 1445, 1448, and 1450.

[3] Churchwardens also from either 1450–51 or 1453–54 (accounts undated), and in 35 Hen. VI. [4]—[4] Omitted in *B*.

[5] Churchwarden in 14 Henry IV., 1 Hen. VI., 1429, 1439, and 1447. A Bailiff of Bristol in 1453 had the same name.

[6] Churchwarden in 1455. [7]—[7] parochianorum. *B*. [8] Omitted here in *B*.

[9]—[9] qui edificacioni et construccioni dicti mansi. eorum assensum & consensum in consimili modo sicut prefatus dominus Willelmus Chwe nomine dicti Abbatis & Conuentus concessit & prebuit. *B*.

[10] predictorum. *B*. [11] Omitted in *B*.

[12]—[12] Not in *B*. [13] dictis. *B*. [14] Omitted in *B*.

[15] *B* adds: vestri. [16] *B* adds: presentibus.

presentibus[1] apposui. Et nos prefatus Thomas dei paciencia Abbas monasterij [2]sancti Augustini predicti[2] eiusdem monasterij[3] Conuentus. [3]proprietarij predicte ecclesie parochialis Omnium Sanctorum[3] in signum assensus & consensus nostri. in premissis [4] prestitis & concessis. Sigillum nostrum commune. presentibus in Domo nostra Capitulari. Die mense & Anno subscriptis.[5] apponi fecimus. Et nos prefati [6] Dominus Willelmus Rodberd vicarius antefate [7] ecclesie parochialis Omnium Sanctorum. Rogerus Abyndon & Ricardus Knyght [8] eiusdem ecclesie parochialis [9] procuratores ac Willelmus Reynes & Willelmus Jsgar[10] dicte ecclesie comparochiani. in signum assensus & consensus tam eorum quam omnium & singulorum aliorum dicte ecclesie parochialis Omnium Sanctorum comparochianorum in pretactis prestitis & concessis.[10] Sigilla nostra diuisim[11] presentibus apposuimus. Datum Sexto die mensis Maij. Anno domini millesimo CCCC^mo^ quinquagesimo Secundo.

In another hand:—[12]

Et nos Johannes permissione diuina Wigorniensis Episcopus cognoscentes tam per dictam[13] inquisicionem sic vt prefertur legitime captam. quam aliorum fide-dignorum dicte ville Bristollie relacionem nobis in ea parte factam. dicte camere ereccionem & construccionem absque alicuius preiudicio infra dictum cimiterium fieri posse & situari. Jdcirco ad specialem supplicacionem dictorum Thome & Johanne vxoris sue ipsam Cantariam vt [14]supradicitur fundare volencium. consensu omnium & assensu quorum interest in ea parte primitus habitis & obtentis. ipsam cameram erigendi construendi & infra dictum cimiterium edificandi ad vsum

[1] predicti. *B*. [2]—[2] antedicti &. *B*. [3]—[3] Omitted in *B*.

[4] predictis. B. [5] infrascriptis. *B*. [6] Omitted in *B*.

[7] dicte. *B*. [8] Both surnames omitted in *B*.

[9] Omitted in *B*. [10] supra nominati. *B*.

[11] *B* adds here: eciam in signum assensus & consensus nostri ac omnium parochianorum in premissis prestitis & concessis.

[12] Written on the dorso in *B*.

[13] infrascriptam. *B*. [14] infra dicitur. *B*.

huiusmodi capellani & non ad alium. quatenus ad nos attinet. licenciam specialem damus. ipsasque nostra auctoritate ordinaria & pontificali confirmamus. In cuius rei testimonium sigillum nostrum presentibus apponi fecimus. Datum in Manerio nostro de Withingdon vltimo die Mensis Junij. Anno domini supradicto.[1]

There were nine seals to copy *A*, for which the tags of eight remain. Six seals on red wax remain, that of the Abbey being much broken. Copy *B* had only eight seals; seven more or less damaged remain, including the Dean's and the Abbot's.

III. — THE DEED APPOINTING THE FIRST CHAPLAIN OF HALLEWAY'S CHAUNTRY, 1453.

Vniuersis *christi* fidelibus Ad quos presens scriptum peruenerit, Willelmus Coder Maior ville Bristollie salutem in domino sempiternam Noueritis me dedisse concessisse & hoc presenti scripto meo confirmasse Thome Hallewei Capellano Cantariam vocatam Halleweischaunterie in ecclesia parochialis Omnium Sanctorum per Johannam Hallewei viduam fundatricem Cantarie predicte fundatam & intitulatam & ad meam donacionem racione officij Maioratus ville predicte spectantem cum omnibus Juribus ad predictam Cantariam pertinentibus / Habendum et tenendum dicti Thome Hallewei ad terminum vite sue in forma Juris iuxta modum & formam quarumdam composicionum predicte Johanne Hallewei / & prestito iuramento siue sacramento ab ipso Thoma Hallewei composiciones predicte bene & fideliter obseruandi eundem Thomam in realem possessionem Cantarie predicte cum omnibus suis Juribus predictis imposuimus per presentes Datum Bristollie sub sigillo Officij mei Maioratus predicti Nono die Mensis Septembris Anno regni Regis Henrici sexti post Conquestum Tricesimo secundo. JOCE

The seal is gone. "Joce" stands for John Joce, Common Clerk of Bristol (*The Little Red Book of Bristol*, edited by F. B. Bickley, Bristol and London, 1900; vol. ij., p. 192).

[1] infrascripto Et nostre Consecracionis Anno nono. *B*.

IV.—ACQUITTANCE FROM JOHN CROKE, RECEIVER OF THE QUEEN, OF PART OF THE MONEY PAID FOR THE ROYAL LICENCE IN MORTMAIN, 7TH JULY, 1453.

Nou*er*int vniu*er*si p*er* p*re*sentes me Joh*ann*em Croke Receptorem Margarete Regine Anglie Auri sui recepisse & h*ab*uisse die confec*ion*is p*re*sencium de Johanna nup*er* ux*or*e Thome Halewey defuncti sexaginta tres solidos & vnu*m* denarium de Auro Regine eidem Regine p*er*tinent*i* de quodam fine xxxj*li*. xj*s*. quem ijdem Thomas & Johanna ad tunc vx*or* sua cu*m* d*omi*no Rege fecerunt p*ro* licencia concedend*a* eis quod ip*s*i seu eor*um* alt*er* quandam Cantariam p*er*petuam de vno Capellano divina sing*u*lis dieb*us* ad Altar*em* s*ancti* Joh*ann*is Bap*tis*te s*ancti* Joh*ann*is Eu*ange*l*ist*e & s*ancti* Dunstani in eccl*e*sia O*mni*um S*anct*or*um* Bristoll*ie* celebratur*o* imp*er*p*etuu*m fundar*e* creare & stabilire possint seu possit De quib*us* quidem lxiij*s*.j*d*. fateor me ad vsum d*ict*e Regine fore solut*um* d*ict*amq*ue* Johannam hered*es* & exec*utores* suos inde esse quiet*os* p*er* p*re*sentes sigillo meo signat*os* Dat*um* septimo die Julij Anno regni Regis Henrıci sexti tricesimo primo

Sealed with a small round seal in red wax, with the impress of a bird with wings expanded.

V.—AN INVENTORY OF THE GOODS BELONGING TO HALLEWAY'S CHAUNTRY AT ALL SAINTS' CHURCH, IN 1457.
(Penes F. F. Fox, Esq., *Bristol MSS.*, No. lxxj.)

Jh*esus*.

This ys An Endentur*e* of the Godes that byth longyng to Halleweys Chawnetry

Jn the name of god Amen ⁝ And in the yere of oure lorde a M[1] CCCC lvij. ⁝ And in xxvij daye of Marche ⁝ And in the r*en*gnyng of kyng Herry the vj[ti] xxxv ⁝ J William Boxe and John Schoppe beyng p*ro*pters of the Cherche of Al halwyn*n* resevyng the Charge the rewull and the gou*er*-

nawnce ffor to Resseyve and yeld trew acount*es* of all the Re*nt*es of lyuelod*es* and godes that be longyng to the Chawnetrye of Thom*as* Halwey & Jenet Halwey hys wyff Jh*esu* on*n* there Sowlys have m*er*cy Amen ⁝ And so all oure Successours trewly and dewly to do the same ⁝ Jn p*rim*is that we reyseve and Brow*gh*t in-to the Cherche of Al halwyn*n* A New Tyee[1] w*ith* two lockys and a lytyll Tyee w*ith*-in the same yoynyng there-to w*ith* iij lockys where-in lyeth All the Evedens of the lyuelode as h*it* ys Ordeynyd that ys ffor to sey the Dedys of the Schamelys in Worschepstrete / And the Dedys of the Thorow house y-Callyd ffoysters lane that goyth oute of Cornestrete in-to Seynte Nicholas strete ⁝ Also the Dedys of the grete Bere-howse in Lewen-ys-mede be-fore the Grey ffrerys yate ⁝ and Also the Dedys of the youthur new howse in the same Strete late Byldyd by-ffore the well vuth*er* the Grey ffreryn wall /// Also the Dedys of the Gardeyne in the market w*ith* a looge y-wallyd new all aboute Also the Kyngys lysens w*ith* the Adcondampnu*m*[2] and oth*er* Evedens as lon*n*-gyth to the mortyfycacion*n*[3] ⁝ Also in the grete Tye we leuyth a Chaleyse w*ith* the patent all overe gylte that weyeth xxj vnc*es* ⁝ J*t*em A noth*er* Chaleyse w*ith* the Patent not all y-gylte that weyeth xij vnc*es* & 3 q*uarter* J*t*em a pax of Syluyr w*ith* a Trenyte y-Amelyd & gylte that weyeth viij vnc*es* ⁝ J*t*em ij Crewetys of Syluyr that weyeth vj vnc*es* q*uarter* & 3^e q*uarter* ⁝ J*t*em ij Crewet*es* of tynne J*t*em ij Candelstyckys of latyn w*ith* lyons on the ffote[4] ⁝ It*em* ij Corporas w*ith* iij Cases of gold one powderyd w*ith* fflowrys-de-lyse and the other two of neld worke ⁝ J*t*em a peyre of vestement*es* of Bawdekyn*n* Grene Sylke and blacke ⁝ Also a-nothyr peyre of vestem*en*tes of Bawdekyn*n* of Grene Sylke & Rede y-powdryd w*ith* whyte fflowrys and Blew[5] Also

[1] A tye is a box, casket, or chest.

[2] The writ for inquisition *ad quod damnum*.

[3] The documents alienating the property in mortmain.

[4] *See* p. 70, the extracts from the accounts of Halleway's chauntry given below.

[5] These were the ferial vestments, according to the next inventory.

two Steynyd Clothis ffor the Awter *per*formyd one of the passion*n* Above & a-noth*er* be-nethe of the iij kyng*es* of Colyne[1] w*ith* ij° redell*es* one in one syde of the passion*n* & a-nother in the oth*er* syde w*ith* Twey ffawse clothis in the Backe-Syde of ham*m*: Also a noth*er* Steynyd Clothe by-nethe ffor the Seyde Awt*er* of Seynt John Baptiste: J*t*em An heere[2] to the seyd Awt*er*: Also an hers Clothe Steynyd w*ith* l*ett*res of gold w*ith* a Crosse Steynyd of the Crewsefyyng of oure Lorde y-powderyd in white Damaske werke: J*t*em iij yerd*es* of Jren*n* ffor to hang the Awt*er*e clothis[3] on: J*t*em a lytyll tye that stondeth*e* be-twene the vecare & the seyd Awt*er*: J*t*em ij Awt*er* Clothis of Cannevas[4] ffor to leye nexte the Awt*er*: J*t*em ij Awt*er* Clothis of Cresse clothe[5] to ley a-pon*n* th*e* Cannevas: J*t*em ij Awt*er* Clothis of Braban*n*[6] ffor to leye Above: J*t*em A dexte to leye on*n* the Boke J*t*em ij tap*er*s And ij Torchis to serve the seyd Awt*er* J*t*em more ffor eu*er*y daye ij lityll Steynyd Clothis th*at* s*er*uyth the seyd Awt*er* J*t*em a paxe w*ith* a-vernakyll[7] y-keueryd w*ith* Glas ffor eu*er*y day J*t*em ij Misters[8] w*ith* ij keyys that longyth to the Seyde Awt*er* to serve and to putte in h*er* vestement*es* And Ornament*es* that longyth to the Seyde Awt*er* J*t*em A Cannevas to the seyde Awt*er* to hele[9] hym w*ith*-all:

[1] The three kings of Cologne, *i.e.* the Magi.

[2] The undermost cloth next the altar slab was most commonly woven of hair in the 15th and 16th centuries. It prevented the edges of the stone from wearing out the linen cloths.

[3] Iron rods to hang the over and nether-front upon.

[4] Canvas was occasionally used for the first altar-cloth: it was about half the price of linen as a rule. For further information on canvas and linen, as used for ecclesiastical purposes, see *Trans. St. Paul's Eccles. Soc.*, 1896—1901; vol. iv., pt. iij., pp. 147 sq.

[5] Crestcloth was a common sort of linen.

[6] Brabant-cloth was fine linen from Brabant, and so was suitable for the uppermost cloth.

[7] A vernacle was a representation of our Lord's face, like that impressed upon the kerchief of St. Veronica.

[8] A Mister is evidently a large chest, to hold vestments, &c. The word means "need," and so something needful, &c., or holding what is needed.

[9] It became not infrequent in the latter part of the 15th century to protect the altar cloths (lying on the altar) out of service time with a cover of canvas or other material, instead of taking them off, and folding them up and putting them away, as in less lazy times.

VI.—AN UNDATED INVENTORY OF THE GOODS OF HALLEWAY'S CHAUNTRY IN DAILY USE.

(Penes F. F. Fox, Esq., *Bristol MSS.*, No. lxxij.)

This byth the godes of the Chaunetrye the wiche the preste hathe to Okowpye ffor eu*er*y day and ys in hys warde savely to kepe/ En p*rim*is a peyre of vestement*es* of Bawdekyn y-powderyd w*ith* whyte fflowrys and Blew fflowrys: Jt*em* iij Awter Clothis: Jt*em* a Chaleyse w*ith* the patent th*at* weyyth xij vnc*es* & 3^{e} q*uarters* Jt*em* ij Crewetys of Tynne Jt*em* a Corporas w*ith* a Case of neld werke:[1] Jt*em* an here[8] a-pon*n* the Awter: Jt*em* a peyre of latynne candlestyck*es* w*ith* lyonse on the ffote & ij tapers: Jt*em* a lytyll tye w*ith* ij Mistyrs and iij keyes there-to: Jt*em* a Stondyng Case w*ith* ij torchis & a key there-to.

VII.—THE WARDENS' ACCOUNTS FOR HALLEWAY'S CHAUNTRY.

The accounts of the wardens of Halleway's Chauntry are preserved at All Saints. The earliest is 1463, and the last 1540; but many of the intermediate years are missing. The following extracts from them will be of interest:—

A.D. 1463.—Thes Ben th*e* Cost*es* & payment*es* y-payde. as for th*e* Waxe the whiche Brynnythe. A bowte th*e* awt*er* of saynte John the Baptiste. the awtyr of th*e* chawntry of thomas holwey

In p*rim*is payde to John Waxmakar for the makynge of j li. iij q*ua*rttrons of olde wexe. Ande for ij li. & quarttron of new waxe. to parforme two tapyrs A-gaynste est*er* the whiche brynnythe at th*e* forseyde chawntry awtyr—xij*d*.

Jt*em* Agaynste est*er* payde to th*e* sayde wax-makar for th*e* makynge of xij li. of olde wax the whiche was of or ladis tapyr th*at* brynnythe in th*e* quere. ande of th*e* tapyr th*at* ys y-callyde th*e* sepulcure tapyr—vj*d*.

Jt*em* payde for iij li. of newe waxe to parforme th*e* forseyde two tapyrs—xv*d*.

Jt*em* A-gaynste All hallowe tyde. We payde to th*e* seyde John for th*e* makynge of two tapyrs to th*e* awt*er*. th*at* ys to sey. for th*e* makynge of ij li. of olde wax—j*d*.

[1] Needlework. [8] A cloth of hair. *See* Note 2 on page 108.

Jtem payde for ij li. of newe waxe. to parforme the two tapirs eydyr of hame. of two li. A-pece—xd.

Summa le Wax—iij s. viij d.

Payments for the two altar tapers and the other two occur annually.

Amongst the other payments is:

Jtem payde to John schop for v gallons of lawmp oyle. the whiche Brynnythe A-for the sacrement in the quere—v s.

This occurs annually.

In an undated "chawntry book" (? 1465) we may notice:

In primis payde to sir william waryn preste of the sayde Chauntre for hys hole yere wagys—vj li. vj s. viij d.

Item payde for the mendynge of the awtyrclothe that hangythe a-fore the chauntre Awtyr. of steynde warke—vj d.

Item payde for the sowdynge of the two lyons A-pon the Candelstykes the whyche standes A-pon the chauntre awtyr—iiij d.

Item payde for the waste of two torcchys the whycche dyde bren A-bowte the hers at the sayde obytt of thomas holeway—viij d.

Jtem payde for J torche for the chauntre Awtyr—iiij s.

1495—1496.—Jtem payd for mendyng of ij Canstycks—ij d.

Jtem payd to syr Jhon penyston for halfe a quarter wagys—x s.

Item payd to syr william wos that came aftyr hym the tothyr halfe quarter—xv s. x d.

Jtem payd for the dressing of a chesebyll—iiij d.

1499—1500.—The costys off the Mynd of Thomas Hollwey

Jn primys payd to Mastyr Meyre—vj s. viij d.

Jtem payd to Mastyr Sheryff—iij s. iiij d.

Jtem to the ij bayleys—iij s. iiij d.

Jtem to the towne Clarke—xij d.

Jtem to the Meyrys sergentes—xij d.

Jtem to the Suyrdbarer—iiij d.

Jtem to Mastyr Dene—iij s. iiij d.

Jtem payd to xv prystes—v s.

Jtem payd to the clarke for hys dewtye—ij s. iiij d.

Jtem payd to the belman—iiij d.

Jtem payd to the sofrygan—iiij d.

Jtem to the gray frerys—iijs. iiij d.

Jtem to the blacke freyrs—ij s.

Jtem to the whyght freyrs—iij s.

Jtem to the Austen freyrse—ij s.

Jtem payd for bred to the pore pepyll—xv s.

J*tem* to the procketurs—xiij s. iiij d.

J*tem* payd for the renewyng off the two tap*urs*—x d.

J*tem* payd fore lampe oyle to Thom*as* P*er*naunt for the ij lampys—x s. iij d.

S*um*m*a*—iij li. xv s. ix d.

The chauntry priest this year was still Sir William Wood: xijd. was spent "for mendyng off the sofrygan ys howse"; and ijd. was paid "for a key to the torche Case."

In 1500—1501 (and after) the suffrigan is replaced by "the sexten" in the costs of the year's-mind. Other costs were: "Payd for iij yerdys and iij q*uarters* off why*gh*t fostean to the lentyn vestment*es* at vjd. the yard, xxijd. ob."; besides 3d. for ¾ of an ell of "soltwyche"; 8*d*. "for j yerde off Satten of syprys Redde"; 2*s*. for 4 ells of bressell cloth, 10½*d*. for 3½ yds of crest-cloth, and 10*d*. for hallowing the said vestments. In 1503—1504 mention is made of the alb of the Red vestment. In 1505—1506 mention is twice made of Nicholas suffrygan, but not in the year's-mind costs.

In "The Cha*un*tree Booke Ann*o* d*omi*ni. M[1] V[c] xxiij[ty]" is the following inventory:—

> An*no* do*mini* 1524
> Here-aff*ter* folow*eth* sutch book*es* Roll*es* and Skrowys of Pricke-song that William Brigeman late Clerke of this Parish Church hath bequethis in his Testament to the vse of this same Church vnder the Condicion that no Childern shuld be tawte apon the seid book*es* scrowis & Roll*es*.

J*n* p*rimis* .v. bokes of a mene volume contey[n]ing .v. masses

J*tem* .v. book*es* of a mene volume contey[n]ing xvj antems | besid*es* diu*er*se Exultauit[1] Salue festa dies[2] | with j masse | s[*cilicet*] ascendo ad patrem.[3] | q. W. brigeman. |

J*tem* a booke of a large volume conteyni[n]g Dyu*er*[s] Kyre

[1] The anthem for Magnificat on Tuesdays begins: *Exultavit spiritus meus* (*Breviarum ad usum insignis ecclesiae Sarum*, ed. Procter and Chr. Wordsworth, Cambridge, 1882—1886; fasc. ij., col. 202). Or it may be the Song of Hannah in 1 Samuel ij., 1–10 inclus. (*Brev. Sar.*, ij. 126).

[2] There are several proses beginning thus: Those for Easter, Ascension, Whitsunday, Corpus Christi, Visitation of B.M.V., Holy Name, and Dedication Feast (*Brev. Sar.* j., mccccxcvij.).

[3] This was the ℣. *ante Laudes* on Ascension Day: whether anything else I cannot say. It is from St. John xx., 17.

leyson | all*eluia*. | Masses | antems | Salue festa dies[1] | Sequence*s* of *our* lady | In n*omine* Jh*es*u[2] | Sospitati[3] | with many other song*es* for a grete parte of the yere necessary.

J*tem* [a-nother *struck out*] iiij bok*es* of a mene volume conteyn-i[n]g iij masses w*ith* antems to sing the saturdays at Evynsong byfore the Crosse[4] wyth Vidi aqua*m*[5] &c.

J*tem* a thyn boke of a large volume conteyny[n]g Kyr*e* | all*eluia* | a masse of iij p*artes* &c.

J*tem* a boke of pap*er* Riall w*ith*-owte a forell conteyni[n]g the passion for palme sonday and a masse of docter farfex[6] makyng callid dobull Desolre[7] | w*ith* a*n* Exultauit[8] |

J*tem* dyu*er*se other [sa *struck out*] small bok*es* and scrows for childern of Sancte de*us*[9] with other song as Te luc*is*[10] | | Saluater[11] | &c.

[1] See note 2 preceding page.

[2] The office of the mass for the feast of the Holy Name, 7th August.

[3] *Sospitati dedit aegros olei perfusio* is the prose sung at Mattins on St. Nicholas' day, 6th December, at the end of the third nocturn (*Brev. Sar.* iij., 36). The clerks of St. Nicholas, Bristol, probably in company with others, sang it about the streets on St. Nicholas' night, like our carol-singers (*Vellum-leaved Vestry-Book*, fol. 34, at St. Nicholas Church).

[4] *See* W. H. Frere, *The Use of Sarum*, Cambridge, 1898; j. 178.

[5] The anthem sung from Easterday to Trinity Sunday during the sprinkling of holy water (*Missale ad usum insignis et praeclarae ecclesiae Sarum*, Burntisland, 1861—1883; col. 33 ** *Missale ad usum percelebris ecclesiae Herfordensis*, ed. W. G. Henderson, Leeds, 1874; p. xlvj. *Missale ad usum insignis ecclesiae Eboracensis*, Surtees Society, 1874; vol. ij., p. 196. *Manuale et Processionale ad usum insignis ecclesiae Eboracensis*, Surtees Society, 1875; pp. 3, 6 *).

[6] Dr. Robert Fairfax lived at the end of the fifteenth and early part of the sixteenth centuries, and was connected with St. Alban's Abbey, where he lies buried.

[7] De-sol-re is the middle D on the bass clef in the Guidonian system.

[8] See note 1 preceding page.

[9] I am not sure what this is: it might be intended for Sanctus Deus, the response of the choir to the verse Popule meus, sung on Good Friday, now commonly known as "The Reproaches" (*Miss. Sar.*, 329). Mr. C. S. Taylor suggests Sancte dei preciose, protho-martyr Stephane, the respond sung in the procession to the altar of St. Stephen after second evensong of Christmas, made by all the deacons, wearing silk copes, and carrying lighted tapers (*Brev. Sar.* j., cxcv.). It also formed the respond to the ninth lesson of mattins on St. Stephen's day, and the hymn at lauds and evensong (*ibid.* ccx., ccxj., ccxiij.). That hymn is not later than the 11th century. At York it was sung at lauds and evensong. It occurs in the 10th century MS., Harleian 2961, for evensong.

[10] The usual hymn at complin (*Brev. Sar.*, ij. 224).

[11] *Salvator mundi Domine* is the Complin hymn from the vigil of Christmas until the octave of the Epiphany; on all double feats from that time till Quadragesima, and from Pentecost till Christmas, excepting the feast of the Holy Name and its octaves, and on certain other days (*Brev. Sar.*, ij. 226).

Jt*em* dyu*er*se small queres conteyny[n]g antems of o*ur* lady. s[*cilicet*] Sancta maria[1] | ascendit *christus*[2] | Tota pulcra[3] | Jn pace i*n* idips*u*m[4] &c. |

Jt*em* other bok*es* of a mene volume conteyni[n]g sup*ra*.

Jt*em* Roll*es* of pap*er* conteyni[n]g dyu*er*se autempnes | [Ca *struck out*] Carell*es* . passions for palme sonday | Salue festa dies[5] | Sospitati[6] | ad sepulcrum | ex mortuis | Te Deu*m* | Jn pace[8] | Jnuentor Rutili[9] | Confitemini[10] |

[1] There are two anthems beginning thus. One, *Sancta Maria Virgo intercede*, in the memory of St. Mary at evensong, and in other places (*Brev. Sar.*, ij. 94, 238; iij. 41, 769). The other, *Sancta Maria, succurre miseris*, is the anthem for *Magnificat* on the feast of St. Mary *ad Nives*, 5 August (*Brev. Sarum*, iij. 593).

[2] The second of the anthems of which one was said at the entrance to the choir after the procession during the octaves of the Assumption and the Nativity B.M.V. (*Brev. Sar.*, j. mclxx). For the Assumption (*York Manual*, 198).

[3] The first of the anthems mentioned in the preceding note.

[4] The first anthem at Matins of Easter-Even (*Brev. Sarum*, i. dccxcv.). It was also said after the placing of the Host and the Crucifix in the Sepulchre on Good Friday evening (*Miss. Sar.*, 333); but *before*, at York (*Miss. Ebor.*, 107; *York Manual*, 164), and *during* the burial at Hereford (*Missale Herford.*, 96).

[5] See note 2 above.

[6] See note 4 above.

[7] *Ad Sepulcrum* seems to be the title of the next, *Ex mortuis*: this being the initial words sung by the choir of the anthem *Christus resurgens*, which was sung on Easter morning when the Host and the crucifix were taken out of the Sepulchre (*Brev. Sar.*, j. dcccvij. *York Manual*, 171. *Missale Sar.*, 357).

[8] There are two anthems beginning thus: one has already been described in note 5. The other, *Jn pace factus est locus*, is said twice at Matins of Easter Even: as the verse of the fifth respond, and as the second anthem of the third nocturn (*Brev. Sar.*, j. dccxcviij., dccxcix.). It was also said at the Sepulchre on Good Friday evening after the burial of the Host and the Crucifix (*Miss. Sar.*, 333), before it at Hereford (*Miss. Herf.* 96); not at all at York.

[9] The well-known hymn of Prudentius, sung at Sarum, Hereford, York, Westminster, and Durham on Easter Even, in the procession from the place where new Fire and Incense were blessed to the Pascal (*Miss. Sar.*, 337. *Miss. Herford.*, 97. *Miss. Ebor.*, 110. *Miss. Westmon.*, ij. 578; iij. 1430. *York Manual*, 112).

[10] Several of the psalms begin with this word; e.g. Pss. 104, 105, 106, 117, 135. Or it may be the verse after the Epistle on Easter even (*Miss. Sar.*, 355).

Dicant nu*n*c[1] | O*m*nia viderun*t*[2] | asperges* | Gl*o*ria i*n* excelc*is* | Nesciens mat*er*[3] | Regina celi[4] | En rex venit[5] | Gl*o*ria laus[6] | with diu*er*se other small song*es* | abowte the nu*m*bur of xl Roll*es*.

In the "Chauntree booke" for 1527 the following record occurs:—

J*t*em payd to ow*r* lernyd cowncell at london to examyn the Composicion of Thomas Haleweys Chantree which doth determe that Mr. abynton Hath don grete wrong to the Church in the office of his Meiralty | of the which we may have remedy agaynst hym when-so-eu*er* we doo prosecute o*ur* mater by-fore the kyng and his Cowncell —— xiijs. iiijd.

In the chauntry accounts for 1537—1538 is a payment of 2*s*. "for a satten cappe for the sayd s*ir* dunstone," the new chantry-priest. It appears that the accounts were objected to:—

Of thys a-Cowntant the p*ar*yshe hathe ffownd a ffautt where he Seythe he hathe payde hym xxxviij s. & vij d.

And we saye that the Seyd Du*n*ston Sarvyd w*it*h vs & hys of trewthe but hauff yere & hauff quarter.

They were passed at last, however, on 24th May, 1538.

[1] A respond sometimes sung on the eve of the Ascension at Matins (*Brev. Sar.*, j. dcccclv). Or perhaps the verse to the respond *Christus resurgens* sung at the Sepulchre on Easter morning (*Miss. Sar.*, 358. *York Manual*, 171).

[2] The anthem sung at the sprinkling of Holy Water, except during Eastertide (*Missale Sarum*, 32**. *Miss. Herford.*, xlv. *Miss. Ebor.*, ii. 195, *York Manual*, 2).

[3] One of the anthems sung for the memories of the Nativity of our Lord (*Brev. Sar.*, cxcvij.): and at our Lady evensong from the octave of the Epiphany till Candlemass, as the anthem for *Magnificat* (ij. 296).

[4] An anthem of St. Mary, sung in Eastertide (*Processionale Sarum*, edit. W. G. Henderson, 1882; p. 171. *York Manual*, 126).

[5] An anthem sung in the Palm Sunday procession at the approach of the second procession with the Host (*Missale Sarum*, 259, 261. *Missale Herford.*, 80). There is a good account of this procession as actually performed in the *Early Works* of Thomas Becon, Parker Society, 1843; pp. 112 sq.

[6] The well-known hymn, *A. & M.* 94, sung by seven boys from some raised stage or platform near the south end of the church, in the Palm Sunday procession (*Missale Sarum*, 260, 262. *Miss. Herf.*, 80. *York Manual*, 150. *Missale Ebor.*, i. 88. Becon's *Early Works*, 114).

II.—WILLS.

I.—THE WILL OF JOAN, WIFE OF SIMON HALLEWAY, 27 AUGUST, 1388.

Jn dei nomine Amen Ego Johanna Halewey vxor Simonis Halewey condo testamentum meum in hunc modum Jn primis lego animam meam deo Et corpus meum ad sepeliendum in Ecclesia Omnium Sanctorum Bristollie Jtem lego fabrice Ecclesie predicte—xld. Jtem lego cuilibet capellano in Ecclesia Omnium Sanctorum—iiijd. Jtem lego Domino Henrico priori Kalendarum—vjs. viijd. Jtem lego Ecclesie Wygornie—vjd. Jtem lego Archidiacono Gloucestrie—vjs. viijd. Jtem lego cuilibet Ordini fratrum mendicancium—ijs. & vjd. Jtem lego ffratri Thome Halewey—xls. Jtem vnum Macer Jtem vnum pecium Argenti Jtem vnum Couerlyt viridis Coloris Jtem dimidium dozeni Cocliarum Argenti vnum Ollam eniam vnum Peluem cum lauatorio Et xxs. pro vno nouo Abitu Jtem lego Thome seruienti meo—xxs. & vnam Armulansam viridi[s] panni Jtem lego parue Johanne vnum patellam eneam & alium patellam cum quatuor annullis Jtem lego Alicie Portbury—xs. Jtem lego Johanne Brayn vnam zonam Argenti Jtem lego Magote Anutiage vnum remenant panni blodii Coloris ad faciendam vnam Tougam Jtem lego vnam flamiolam de Cerico Jmagini sancte Marie in la Pelere ecclesie Omnium sanctorum Jtem lego Ricardo seruienti meo—xs. Jtem lego Clerico—xxd. Jtem lego Johanni filio meo—xxs. Jtem lego Eleanore vnum Cistam & xs. Argenti Resuduum Omnium bonorum meorum in isto testamento legatorum lego Simoni Halewey Marito meo Huius autem testamenti Executores ordino & constituo Simonem Halewey Marito meo & Dominum Henricum Derleston Scriptum vicesimo septimo die Augusti Anno domini M^mo^ CCC^mo^ lxxx^mo^ viij^o^.

There were once two seals, only one of which remains. It is elliptical. Above is a semi-figure of Our Lady and her Child within a trefoil; below, a mitre between the letters I and B. The

margin is much broken, but there can be made out OF[F]ICII S[E]QVEST EPI WYGORN.

The grammar of this will is worse than usual: the adjectives constantly disagree both in gender and case with their substantive.

II.—THE WILL OF SIMON HALLEWAY, 1389.

Jn dei nomine Amen / duodecimo die Mensis Junij Anno domini Millesimo Trecentesimo Octuagesimo nono: Ego Simon Halewey burgensis ville Bristollie compos mentis & sana memoria mea in hunc modum meum condo testimentum Jn primis lego animam meam deo beate Marie & omnibus sanctis corpus-que meum ad sepelliendum in ecclesia fratrum predicatorum Bristollie coram ymagine beate Marie ibidem Jtem lego ffabrice dicte ecclesie xxs. & cuilibet ffratri eiusdem domus vjd. Jtem lego cuilibet alteri ordini ffratrum mendicantium Bristollie xld. Jtem ffabrice ecclesie Omnium Sanctorum, vjs. viijd. & vicario eiusdem ecclesie pro decimis meis oblitis, xs. Jtem Clerico dicte ecclesie, xld. Jtem Priori alendorum ibidem, xs. & cuilibet Capellano ad exequias meas venientes iiijd. Jtem lego ffabrice ecclesie sancti Petri, xxs. Jtem volo quod executores mei inueniant quatuor Torticios ardentes circa corpus meum die sepulture mei / et volo quod eodem die ijdem executores mei distribuant pauperibus indigentibus pro anima mea xls. Jtem lego Margerie vxori mee xl li. argenti cum Camera sua & vtensilibus domus & tria pecia argenti & Ciphos meos vocatos Mazers Jtem lego Johanni filio meo C.s. Jtem lego dicto Johanni filio meo quatuor aulas meas cum septem shopis & tribus Celarijs adiacentibus & suis pertinentiis situatis in villa Bristollie in Worschupstret Habendum ad terminum vite sue tenendum de Capitalibus dominis feodi illius per seruicia inde debita & de iure consueta Jta quod post decessum dicti Johannis volo quod dicte quatuor aule cum shopis & Celarijs adiacentibus per executores meos vendantur & cum pecunia inde proveniente executores mei inueniant duos Capellanos celebrantes quamdiu summa pecunie inde provenientis durauerit / quorum volo quod vnus celebret in ecclesia Omnium Sanctorum

predicta / & alter in ecclesia sancti Petri predicta / Ac quod de dicta summa distribuant in alijs operibus caritatis sicut coram deo velint respondere / Jtem lego Thome Halewey cum Johanna filia mea xxx *li.* vj Coclearia argenti vnam peciam argenti vnum longum cultellum cum zona mea argenti Jtem lego eidem Thome vnum lectum secundum meliorem vnam peluim cum lauocro (*sic*) & vnam Mappam cum manutergio Jtem lego ffratri Thome Halewey xls. Jtem Ricardo Halewey xiijs. iiij*d.* Jtem lego Elene seruienti mee lxs. Jtem lego Johanni Hachet omnia vestimenta mea Item Johanne Strete xl*d.* Jtem remitto Willelmo Brid omnia debita mea que ipse michi debet Jtem lego Ricardo atte ffeiradon vs. Jtem lego Johanne Brayne filie mee vnum Ciphum meum vocatum Note Residuum vero omnium bonorum meorum in isto testamento meo non legatorum lego Executoribus meis vt ea disponant & ordinent sicut coram deo velint respondere Et ad istud testamentum meum fideliter perimplendum ordino & constituo executores meos videlicet Philippum Excestre cui lego xxs. & Thomam Halewey cui lego xs. Jn cuius rei testimonium sigillum meum presentibus apposui Datum Bristollie die & anno supradictis Jtem volo quod si dictus Johannes filius meus velit emere Aulas cum shopis & Celarijs predictis in feodo ; quod idem Johannes illa terram & tenementa habeat pre omnibus alijs soluendo x *li.* minus quam aliquis alius velit dare.

Probate before John Barell, Clerk, Commissary & Sequestrator-general to Henry bp. Worcester, at St Ewen's parish Church, 18 June 1389.

Probate before John Vyel, Mayor; Thomas atte Haij & John Stephenys, Bailiffs; on Monday next after the feast of St. Margaret 13 Ric. II.

From *The Great Orphan Book* fol. xxv *verso*, *penes* Lord Mayor & Corporation of Bristol.

III.—THE WILL OF JOHN HALLEWAY, 1404 A.D.

Jn dei nomine Amen Vicesimo die Nouembris Anno domini Millesimo CCCC° quarto Ego Johannes Halewey sane mentis

& memorie in hunc modum meum condo testamentum Jn primis lego animam meam deo beate Marie & omnibus sanctis eius corpus-que meum ad sepuliendum in ecclesia sancti Jacobi Bristollie coram ymagine sancte Crucis ibidem iuxta sepulturam Nicholai Hastynges in dextera parte eiusdem sepulture Jtem iego ffabrice dicte ecclesie. vjs. viijd. & cuilibet Monacho domus sancti Jacobi. viijd. Jtem lego Priori sancti Jacobi. xld. Jtem cuilibet ordini ffratrum mendicancium Bristollie ijs. vjd. Jtem lego ffabrice ecclesie sancti Petri Bristollie xld. Jtem lego Capellano parochiali sancti Jacobi. xijd. Jtem lego Clerico eiusdem ecclesie. viijd. Jtem Matrici ecclesie beate Marie Wygornie viijd. Jtem lego & volo quod omnes expense circa sepulturam meam faciendam fiant secundum ordinacionem & disposicionem executorum meorum. Jtem do & lego Margerie Hastynges matri mee redditus & seruicia que Robertus Brayn Bonchour & Johanna vxor eius mihi reddere & facere tenentur pro vna Aula. cum duabus shopis adiacentibus cum suis pertinenciis in villa Bristollie in Worshepstret vna cum reuercione eorumdem Aule & shoparum cum suis pertinenciis cum post mortem eorumdem acciderit Jtem do & lego eidem Margerie matri mee vnam Shopam ibidem in qua Johanna Possh modo inhabitat & vnum Stabulum quod Robertus Prat Bonchour modo de me tenet ad voluntatem meam. Habenda tenenda ac percipienda redditus & seruicia predictorum Roberti Brayn & Johanne vxoris sue vna cum reuercione predicte Aule cum duabus shopis adiacentibus cum suis pertinenciis cum post mortem eorumdem acciderit necnon predictam Shopam in qua Johanna Possh modo inhabitat Simul cum predicto Stabulo quod Robertus Prat modo de me tenet: predicte Margerie Hastynges matri mee ad terminum vite sue Et post decessum dicte Margerie matris mee tunc volo & lego quod omnia supradicta Aula Shope & Stabulum cum suis pertinenciis integre remaneant Margerie filie mee Habenda & tenenda eidem Margerie filie mee & Heredibus de corpore suo legitime procreatis imperpetuum Et si dicta Margeria filia mea obierit sine Huiusmodi herede de corpore suo legitime procreato tunc volo & lego quod omnia supradicta aula Shope &

Stabulum cum suis pertinenciis vendantur per executores meos vel eorum executores Jta quod Thomas Halewey & Johanna vxor eius soror mea vel eorum pueri Si qui fuerint tunc superstes habeant omnia supradicta tenementa cum suis pertinenciis pre omnibus alijs meliori precio per sexaginta solidos si illa habere voluerint et cum pecunia inde peruenienie conducant Capellanum ydoneum ad diuina celebrandum in ecclesia sancti Petri Bristollie pro anima mea & pro animabus patris & Matris mee & omnium fidelium defunctorum. quam diu pecunia predicta durare voluerit & quod dictus Capellanus sit electus per dictas executores Rectorem & procuratores ecclesie supradicte. Jtem volo & lego quod si contingat me & Aliciam vxorem meam sine herede inter nos legitime procreato obire tunc volo & lego quod vnum tenementum cum suis pertinenciis situatum in lewlynnesmede inter tenementum Abbatis & Conuentus de Tewkesbury ex parte vna & tenementum Philippi ffaunt ex parte altera. Ac eciam redditus et seruicia que Ricardus venour & Cristina vxor eius nobis reddere tenentur pro vno Mesuagio cum suis pertinenciis in villa Bristollie in Worshepstret vna cum reuercione eiusdem cum acciderit. Ac eciam redditus & seruicia que Thomas Engelond & Juliana vxor eius nobis reddere tenentur pro vno tenemento cum suis pertinenciis situato in eodem vico vna cum reuercione tenementi supradicti cum suis pertinenciis cum acciderit. Ac eciam redditus & seruicia que Thomas Powke & Agnes vxor eius nobis reddere tenentur pro vno tenemento cum suis pertinenciis situato in eodem vico vna cum reuercione tenementi supradicti cum suis pertinenciis cum acciderit. Ac eciam redditus & seruicia que Henricus Honsone & Matilda vxor eius nobis reddere tenentur pro vna Shopa & vno Celario cum suis pertinenciis in vico predicto vna cum reuercione dicte Shope & Celarij cum suis pertinenciis cum acciderit: integre remaneant Margerie Hastynges matri mee Habenda eidem Margerie ad terminum vite sue Et post decessum dicte Margerie matris mee tunc volo & lego quod omnia supradicta tenementa redditus reuerciones & seruicia cum suis pertinenciis vt predictum est excepto vno tenemento cum suis pertinenciis superius

nominato in lewlynnesmede. integre remaneant Margerie filie mee Habenda eidem Margerie filie mee & heredibus de corpore sue legitime procreatis imperpetuum. Et si dicta Margeria filia mea obierit sine huiusmodi herede vt predictum est. tunc volo & lego quod omnia supradicta tenementa redditus reuerciones & seruicia cum suis pertinenciis vt predictum est vendantur per executores meos vel eorum executores Jta quod Thomas Halewey & Johanna vxor eius vel eorum pueri si qui fuerint superstes habeant omnia supradicta pre omnibus alijs meliori precio per Septem libras si illa emere voluerint et cum pecunia inde perueniente conducant Capellanum ydoneum ad diuina selebranda in ecclesia sancti Petri Bristollie pro anima mea & pro animabus patris et matris mee & omnium fidelium defunctorum quam diu pecunia predicta durare voluerit & quod dictus capellanus sit electus per dictos executores Rectorem & procuratores ecclesie supradicte Jtem lego & volo quod predictum tenementum cum suis pertinenciis superius exceptum in lewlynnesmede post decessum Margerie Hastynges matris sue vendatur per executores meos vel eorum executores & cum pecunia inde perueniente conducant Capellanum ydoneum [ad] diuina selebranda in ecclesia sancti Jacobi Bristollie pro anima mea patris & matris mee Nicholai Hastynges Walteri Horugge & omnium fidelium defunctorum quamdiu pecunia predicta sufficere voluerit & quod dictus Capellanus sit electus per dictos executores Priorem sancti Jacobi & procuratores ecclesie supradicte Jtem lego Thome Halewey & Johanne vxori sue sorori mee vnum gardinum cum suis pertinentiis iacentem in suburbio ville Bristollie in Mercato quod nuper perquisini de Jsabella Predy filia et herede Willelmi Predy Habendum & tenendum predictum gardinum cum suis pertinentiis predictis Thome Halewey & Johanne vxori sue & heredibus ipsius Johanne imperpetuum Jtem lego eidem Thome Halewey & Johanne vxori sue reuercionem vnius Mesuagij cum suis pertinenciis in suburbio eiusdem ville in lewlynnesmede post decessum Margerie Hastynges matris mee quod quidem Mesuagium prefata Margeria modo inhabitat & de me tenet ad

terminum vite sue Habendum & tenendum predictum Mesuagium cum suis pertinenciis cum post mortem dicte Margerie acciderit prefatis Thome Halewey & Johanne vxori sue & heredibus de corpore ipsius Johanne legitime procreatis imperpetuum Soluendo eidem Margerie matri mee vel executoribus suis decem libras sterlingorum ad festum sancti Michaelis proximum sequentem post obitum meum & ad festum sancti Michaelis extunc proximum sequentem decem libras sterlingorum ad inueniendum vnum Capellanum diuina selebrantem in ecclesia sancti Jacobi Bristollie pro anima Nicholai Hastynges anima mea & pro animabus patris & matris mee & omnium fidelium defunctorum quam diu pecunia predicta sufficere voluerit & quod dictus Capellanus sit electus per prefatam Margeriam vel executores suos. Priorem sancti Jacobi Bristollie & procuratores ecclesie supradicte Et si contingat prefatam Johannam Halewey sine herede de corpore suo legitime procreato obire quod dictum Mesuagium cum suis pertinenciis post mortem dicte Margerie remaneat Thome Halewey heredibus & assignis suis imperpetuum Reddendo capitali domino per seruicia inde debita & de iure consueta Jtem lego Alicie vxori mee vnum lectum meum meliorem cum toto apparatu eidem pertinenti Jtem lego Johanni Sutton vnam loricam vnum prekyngpalet & vnam sellam cum ffreno eidem pertinenti & vnum pollax meliorem Residuum vero omnium bonorum meorum superius non legatorum do & lego Margerie Hastynges matri mee ad soluenda debita mea & residuum ad disponendum pauperibus pro anima mea & omnium fidelium defunctorum. Huius autem testamenti mei ordino & constituo executores meos dictam Margeriam matrem meam & Thomam Halewey et volo quod Johannes Sutton sit superuisor huius testamenti mei Datum die & Anno supradictis &c.

Probate before William Forster, clerk, LL. B. Commissary general of Richard, bp. Worcester, in All Saints Parish church, Bristol, 13 March, 140⅘. Administration granted to Thomas Halewey.

Probate before Robert Dudbroke, mayor; John Droys, sheriff; Robert Russell and Gilbert Joce, bailiffs; monday next before the Assumpton B.M.V. 6 Hen. IV.

Two seals: one oval, brown wax, very much broken; the other, red wax, of the Mayoralty of Bristol.

IV.—WILL OF MARGERY HASTYNGES, 1413 A.D.

Jn dei no*mine* Amen duodecimo die decembris Anno do*mini* Mille*s*imo quadringentesimo terciodecimo ego Margeria Hastyng*es* compos mentis mee in hu*n*c modu*m* condo meu*m* testamentu*m* Jn primis lego animam meam deo omnipotenti beate marie matri sue & omnib*us* sanctis corpusq*ue* meu*m* ad sepeliend*um* in eccl*es*ia p*ar*ochiali sancti Jacobi bristoll*ie* coram alta cruce in dextera p*ar*te sepultur*e* mariti mei Jt*e*m lego fabric*e* matric*is* eccl*es*ie Wigornie xij*d*. Jt*e*m lego fabric*e* eccl*es*ie s*ancti* Jacobi pro sepultura mea xx*s*. Jt*e*m lego Priori s*ancti* Jacobi bristoll*ie* vj*s*. viij*d*. Jt*e*m lego Capellano p*ar*ochiali eiusdem eccl*es*ia xx*d*. Jt*e*m lego d*omi*no Johanni capellano meo xl*d*. Jt*e*m lego clerico p*ar*ochiali dicte eccl*es*ie xij*d*. Jt*e*m lego Conuentui ordinis fratru*m* minor*um* bristoll*ie* x*s*. Jt*e*m lego cuilibet Conuentui aliar*um* trium ordinu*m* f*rat*rum mendicanciu*m* bristoll*ie* ij*s*. vj*d*. Jt*e*m lego paup*er*ibus in pane distribuenda ad valore*m*. l*s*. Jt*e*m lego p*ro* cera & omnib*us* alijs necessarijs in obsequijs meis exsequendis circa sepultura*m* corp*or*is mee x*li*. Jt*e*m lego Johanne filie mee mea*m* optima*m* toga*m* virid*is* coloris furrurata*m* & meam optima*m* zonam argent*o* stipat*am* meum optimum ciphu*m* argenti cum coop*er*torio meu*m* optimu*m* ciphu*m* de masere cu*m* coop*er*torio & optimu*m* peluem cu*m* lauacro Jt*e*m lego Nicholas Halewey filio Thome Halewey xiij*s*. & iiij*d*. vnam peluem cu*m* lauacro vnu*m* manutergiu*m* & optimu*m* lectu*m* meu*m* Jt*e*m lego Thome Halewey iuniori xiij*s*. & iiij*d*. vnam peluem cu*m* lauacro vnu*m* manutergiu*m* & secundu*m* optima*m* lectu*m* cu*m* le testir Jt*e*m lego Johanni Halewey seniori xiij*s*. & iiij*d*. vnam peluem cu*m* lauacro & manutergio Jt*e*m lego Johanni Halewey iuniori filio Thome Halewey xiij*s*. & iiij*d*. vnam peluem cu*m* lauacro Jt*e*m lego Johanne Brayne meam secundam zonam stipat*am* argent*o* & meu*m* melior*em* annulu*m* auri cu*m* mea secunda optima patell*a* Jt*e*m lego Thome Brayne xx*s*. vnu*m* ciphum argenti videlicet a plat pece duo

cokliaria argentea habend*a* si intendit p*res*biterari & quando celebrauerit nouam missam & si contingat ips*u*m Thomam obire citra celebracione*m* sue noue misse extu*n*c lego & volo q*uo*d p*re*dict*us* ciphus cu*m* duob*us* cokliarijs remaneant Johanne Brayne matri sue J*t*em lego Elionore Wagwell xx*s*. cu*m* vna toga de cendry furrurat*a* & vna armulansa virid*is* coloris J*t*em lego Edithe Welle vj*s*. & viij*d*. mea*m* toga*m* blodij coloris cu*m* furrura agnicula J*t*em lego Alicie Mynty mea*m* toga*m* virid*is* coloris duplicat*am* cu*m* vna tunicula videlicet a kirtill de hwlyn J*t*em lego Alicie Moret vnu*m* coop*er*torium lect*i* vnu*m* par linthiaminu*m* vnam peluem & vna*m* ollam enea*m* J*t*em lego Johanne Portbury vnu*m* coopertoriu*m* lecti virid*is* coloris vna*m* par linthiaminu*m* duo candelabra de latou*n* & vna*m* olla*m* eneam cu*m* xiij*s*. cu*m* ad matrimoniu*m* p*er*uene*r*it J*t*em lego Matilde s*er*uient*i* mee xiij*s*. & iiij*d*. vnu*m* coop*er*torium lect*i* de worstede blodij coloris & vnu*m* candelabru*m* cu*m* ad matrimoniu*m* p*er*uene*r*it J*t*em lego Joh*anni* Wagwell xx*s*. J*t*em lego Henrico Harsfeld capellano vnu*m* ciphu*m* argenti p*rec*io xiij*s*. & viij*d*. J*t*em lego Willelmo filio Joh*anni*s Wilcok*es* x*s*. & vnum coop*er*torium lect*i* J*t*em lego Joh*anni* Tanner vj*s*. & viij*d*. J*t*em lego Agnet*i* Powke vnam maxima*m* patellam cu*m* tripote J*t*em lego Henrico Portbury xl*d*. J*t*em lego Thome Halewey p*ro* suo labore in exsequend*um* testamentu*m* meu*m* xl*s*. J*t*em lego Thome Powke pro suo labore xl*s*. Residuu*m* vero omniu*m* bonor*um* meor*um* non legator*um* debitis meis solutis do et lego Thome Halewey & Johanne vxori suo filie mee Huius autem testamenti mei & vltime voluntatis mee ordino facio & constituo Thoma*m* Halewey meu*m* principale*m* executorem & Johanne*m* vxore*m* eius dicti testamenti coexecutricem illor*um*-q*ue* facio sup*er*uisorem Thomam Powke vt ipsi deu*m* p*re*oculis habent*es* presens testamentu*m* meum compleant cu*m* effectu Jn cuius rei testimoniu*m* huic testamento meo sigillum meum apposui Dat*um* bristoll*ie* & consignat*um* die & Anno supradictis.

Probate before John Weston, clerk, Commissary general of Thomas, bp. Worcester, in the parish church of St. James, Bristol. 14 October (1414).

No seal remains. This will is on parchment. Another will by the same Margery Hastynges is extant at All Saints, written on paper, and dated 16 March 140⅔. She describes herself as relict of Nicholas Hastyng; to be buried at St. James church beside N. H. Legacies to fabric of St. James church, to Prior of St. James for tithes forgotten; to mother church of Worcester; to parish chaplain, clerk, and Sir Henry, chaplain at said church; to four orders of friars; to Joan, wife of Thomas Halewey, my daughter; to Nicholas, son of same Thomas; to Thomes, son of same Thomas; to Joan, wife of Robert Brayne; to Thomes, son of same Robert; to John, son of same Robert; to Elene Wagwell; to John, son of Richard Wagwell; to Edith Hatchet; to Alice my kinswoman (? the wife of John Halleway); to Joan Hulle; to Alice Portbury; to Robert Hyem [?]; to Roger, my servant; to Agnes, my servant; to Alice, wife of John Tanner; to John, son of John Lyndevy, tailor; to the daughter of Alice Vyus; to John, son of Patrick Meaugh; to the nurse John (nutrici Joh*anni*) Hardewyke; to the daughter of Thomas Englelond; to Agnes, my kinswoman, dwelling at Gelyngham; to John, son of Richard Wagwell; a chaplain to be found for four years after testator's decease to celebrate for four years in St. James' church, Bristol, for soul of Nicholas Hastyng late my husband, for my soul, and those of all our benefactors and of all faithful departed. Also 40s. worth of bread to be divided by overseer amongst poor at my funeral; 100s. to be spent upon my obit. Residue after debts paid to John Halewey to dispose for my soul and those of all faithful departed. John Halewey to be executor.

Two copies, one on paper and the other on parchment, having lost the two seals, of the will of Nicholas Hastyng are preserved at All Saints' Church. Mr. Wadley has given an abstract of the will on p. 71 of his *Notes*. The following members of his family receive legacies:—Margery *vxor mea*, William *fratri meo*, Joan Holewey *filiole mee*, Thomas Holewey, and John Holewey. In the paper copy the name is in each case spelled with an "a" instead of an "o." In the *Great Orphan Book* it is spelt once with an "o" and afterwards with an "a" (fol. lxvj. *verso*). The will was made 3 December 1397, and proved 18 April 1398. He left a tenement n Lewen's Mead to Margery Hastyng, and another which he bought of Rosa Asshe was to be sold. In a grant of administration to his executors, dated vj Idus Novemb. 1398, from John Barnet, official of the court of Canterbury, and Roger, archbishop, John Holewey is described as "filij naturalis dicte Margerie."

V.—THE WILL OF THOMAS HALLEWAY, 10 OCTOBER, 1449.

Jn dei nomine amen. decimo die Mensis Octobris Anno d*omi*ni Mill*e*simo quadringentesimo quadragesimo nono. Ego Thomas Hallewey burgensis ville Bristoll*ie* sane memorie et compos mentis mee condo testamentum meum in hunc modum. Jn primis lego animam deo om*ni*potenti b*ea*te Marie virgini matri sue & om*ni*b*us* s*anct*is eius corpus-q*ue*

meum ad sepeliend*um* in eccl*e*sia O*mni*um S*anct*or*um* Bristoll*ie* coram altare s*anct*e Crucis ib*ide*m. Jtem lego ffabrice Matricis eccl*e*sie Wigorn*ie*. vj*s*. viij*d*. Jtem lego ffabrice eccl*e*sie O*mni*um S*anct*or*um* p*re*dict*e* xx*s*. Jtem lego vicario eiusdem eccl*e*sie p*ro* decimis meis oblitis. xiij*s*. iiij*d*. Jtem lego sex Capellanis interessent*ibus* obsequijs meis die sepulture mee et eciam ad d i r i g *e* & missam meam solempn*am* cu*m* nota cotidie p*er* quatuor septi*man*as p*roximas* post obitum meum sequent*es* in eadem eccl*e*sia videlic*et* cuilibet eor*um* vj*s*. viij*d*. Jtem lego Cl*er*ico p*ar*ochiali eiusdem eccl*e*sie interessent*i* ad hui*usmod*i d i r i g *e* & missam solempn*am* cotidie p*er* idem tempus et ad facienda omnia que sibi adtunc ib*ide*m facere p*er*tinet. vj*s*. viij*d*. Jtem lego ffraternitati Capelle Assumpcionis b*ea*te Marie virginis super pontem Abbone Bristoll*ie* xx*s*. Jtem lego ffraternitati s*anct*e Katerine in eccl*e*sia s*anct*e Crucis Templi Bristoll*ie* xx*s*. Jtem lego ffraternitati s*anct*i Joh*ann*is Baptiste Bristoll*ie* xiij*s*. iiij*d*. Jtem lego d*omi*no Thome Hallewey filio meo iij*li*. vj*s*. viij*d*. Jtem lego Mag*ist*ro Joh*anni* Hallewey filio meo iij*li*. vi*s*. viij*d*. Jtem lego d*omi*no Will*el*mo Hallewey filio meo iij*li*. vj*s*. viij*d*. Jtem lego cuilibet conuentui quatuor ordinu*m* fr*atr*um mendicancium Bristoll*ie* vj*s*. viij*d*. Jtem lego Joh*anni* Shoppe seruienti meo xx*s*. Residuu*m* vero o*mni*um bonor*um* meor*um* non legator*um* debitis meis & funeralibus expensis quibuscumq*ue* primitus inde solutis do & lego Johanne vx*or*i mee ad inde disponend*um* p*ro* a*nim*a mea p*ro*-ut melius videbitur expediri Huius autem testamenti mei etultime voluntatis mee facio constituo et ordino p*re*fatam Joh*ann*am meam vx*or*em executricem meam p*er* p*re*sentes. Jn cuius rei testimoniu*m* huic p*re*senti testamento meo sigillum meum appos*ui*. Dat*um* Bristollie die & Anno d*omi*ni supradictis.

Two seals in red wax are attached to this will. One, elliptical, is much broken; but the figure of our Lady and her Child, standing within a tabernacle, can be made out: beneath which is a shield (much rubbed) bearing ten roundles (?), 4, 3, 2, and 1. Around the margin can be read C o m m i s s a r i i & S e q u e s t . . . . The second seal is too broken to make anything out. The will is endorsed to the effect that Probate was granted before John Elys, Decret. Bace., Commissary of John, Bishop of Worcester, in the parish church of St. Leonard, Bristol, 9 March, $14\frac{52}{53}$.

THE ARCHITECTURE OF HAYLES ABBEY.

By HAROLD BRAKSPEAR, F.S.A., A.R.I.B.A.

The Abbey of Hayles was founded in 1246 by Richard, Earl of Cornwall, for monks of the Cistercian Order, and was colonised from the royal foundation of Beaulieu, in the New Forest, by twenty monks and ten *conversi*. In 1251 the work of building had so far progressed as to enable thirteen altars to be dedicated. In 1270 Edmund, Earl of Cornwall, presented the famous relic of the Holy Blood. New work was immediately commenced, and was completed, together with the shrine to contain the relic, in 1277.

Before the excavations were undertaken last year upon the site of the abbey church at Hayles, very little was known respecting it.

All that remains above ground is part of the south aisle wall of the nave next the cloister. Now, from entire ignorance respecting the nature of the church, complete knowledge of the whole ground plan has been the reward of those engaged in the excavations.

More of the walls above the footings might have been left; but it is fortunate that the comparatively small amount that does remain enables the whole plan to be reconstructed without drawing anywhere upon the imagination.

The church that was commenced at the foundation of the abbey in 1246 was, as usual, cruciform in plan, and consisted of presbytery with aisles and a procession aisle with five chapels eastward, transepts with three eastern chapels to each, and a nave with aisles. All the main arcades were built upon sleeper walls, as at the mother abbey of Beaulieu.

It would be natural to suppose that a daughter house would follow the plan of the parent; but Hayles, so far at any rate as the church is concerned, is an excellent example to show that this was not the general custom; which is also borne out by the fact that Netley, the other daughter of Beaulieu, was neither like the parent nor its sister of Hayles. All three foundations are very late in the list of Cistercian houses in this country, and the universal similarity of the early plan had long before become anything but general owing to various causes.

At Hayles the presbytery was four bays in length, with the westernmost bay considerably narrower than the rest.

On the south side, the plinths remain of two of the main arcade piers. The eastern one retains the draft lines of the bases, and the western the draft lines of the pier itself. The piers consisted of clusters of four large columns towards the cardinal points, with smaller ones between. Each had a wide fillet in the centre. The arches were of three orders with a label (*Fig.* 1, *Plate* II.). The main span was vaulted, with transverse and diagonal ribs, with large carved bosses at the intersection of the latter. There were no ridge ribs.

Between the piers and separating the aisles from the presbytery were solid walls three feet in thickness. Unlike the thirteenth century work at Fountains, Tintern, and other Cistercian abbeys, these walls were not provided for from the first, but subsequently built in between the piers.

On the north side the wall was subsequently narrowed over twelve inches,[1] but for what reason it is impossible to say.

The east gable, judging from the two projections in the footings, was pierced by three arches, probably in line with the arcades on either side.

The side aisles were mere passages to the eastern altars, and were vaulted with cross and diagonal ribs without bosses. Against the outer walls were stone seats upon which

[1] This at any rate was the case in the second bay, as is shown by an added double row of tiles of different date from the original paving, and presumably the others were similarly altered.

the vaulting shafts rested. At the east end of the north aisle the first course remains of the projecting pier to carry the cross arch in line with the east gable. The outer walls are of the unusual thickness of five feet, and the buttresses project another six feet, so that doubtless the main vault of the presbytery was supported over the aisles by flying buttresses. In line with the main east gable were large turrets; and the southern one, if not both, contained a vice or spiral staircase.

That there was an eastern termination containing chapels beyond the main gable is proved: 1, by the evidence of dedications of thirteen altars, which could not be accounted for without there being five in this position; 2, by the projecting base already noticed in the north aisle; and, 3, by the footings of both aisle walls continuing across the later chapels to some 24 feet beyond the main east wall.

If this termination was merely a single aisle, as at Byland and Waverley, it would be entirely occupied by the chapels, and necessitate the procession path being within the main east gable, as it was in those two cases. But the high altar at Hayles occupied this position, so the procession path as well as the chapels would be eastward of the main east gable, as is the case at Dore, the eastern extension of which was being built at the same time.

Of the crossing nothing remains beyond the footings of the great piers; but there are indications that the tower caused trouble early in its history, as will be shown later.

The transepts were both four bays in length, vaulted as the presbytery. The main east walls were carried on arcades with piers of the same plan as those of the presbytery, except that, judging from the lowest course of the one left in the south transept, they were without bases or plinths except to the column on the west face, which had both. (*Fig.* 2, *Plate* II.) The chapels were divided from one another by walls 10 inches thick.

The south-east corner of the south transept has been completely destroyed, together with its foundations.

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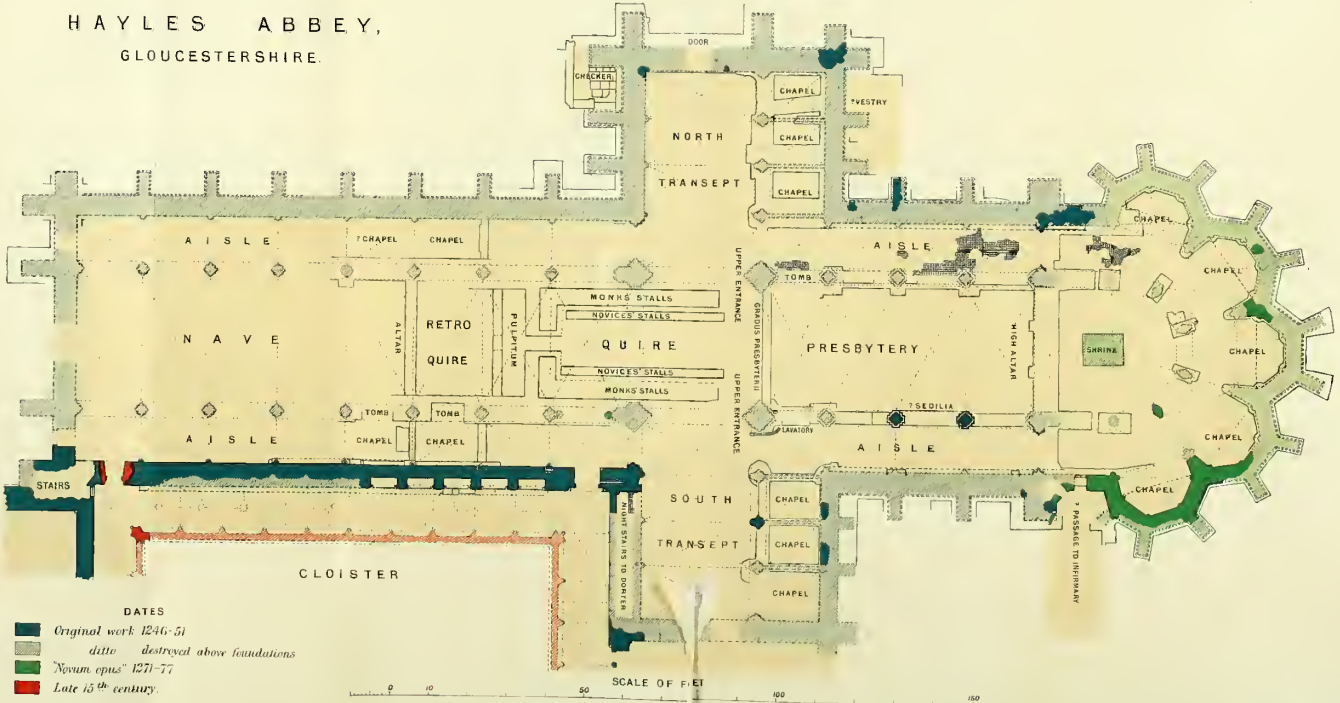
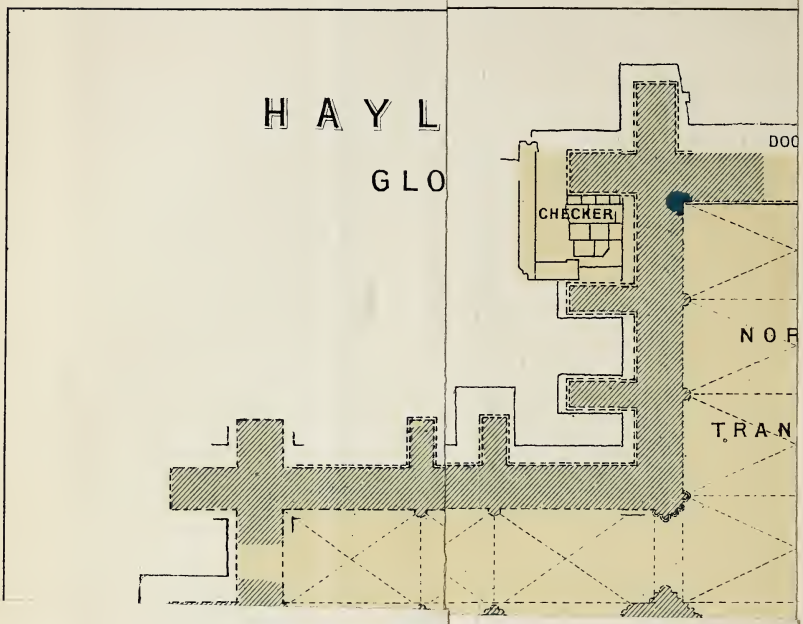
HAYLES ABBEY,

GLOUCESTERSHIRE.



Harold Brakspear, F.S.A., mens. et del. 1900

C. F. KELL & SON, LITH & FURNIV. - 3 Y HOLBORN, E.C.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The west wall is 8 feet thick, and contained the night stairs to the dorter, which had a square vaulted lobby at the foot. The angle shaft, with base and cap to carry the vault, remains in the north-west corner of the lobby. This treatment of the night stairs is the same as that at Beaulieu, but so far as is at present known there are no other examples in this country.[1]

The north transept would have, as usual, a doorway in the north gable, which apparently was subsequently used as the entrance for pilgrims to the shrine. Externally between the northernmost buttresses on the west side are the paving and remains of the walls of a small room, 13 feet by 9, which was perhaps the checker of the sacrist or his assistant, whose duty it was to conduct the visitors to and from the shrine.

Eastward of the chapels was another added chamber, but this has not yet been sufficiently excavated to show its character or how it was entered.

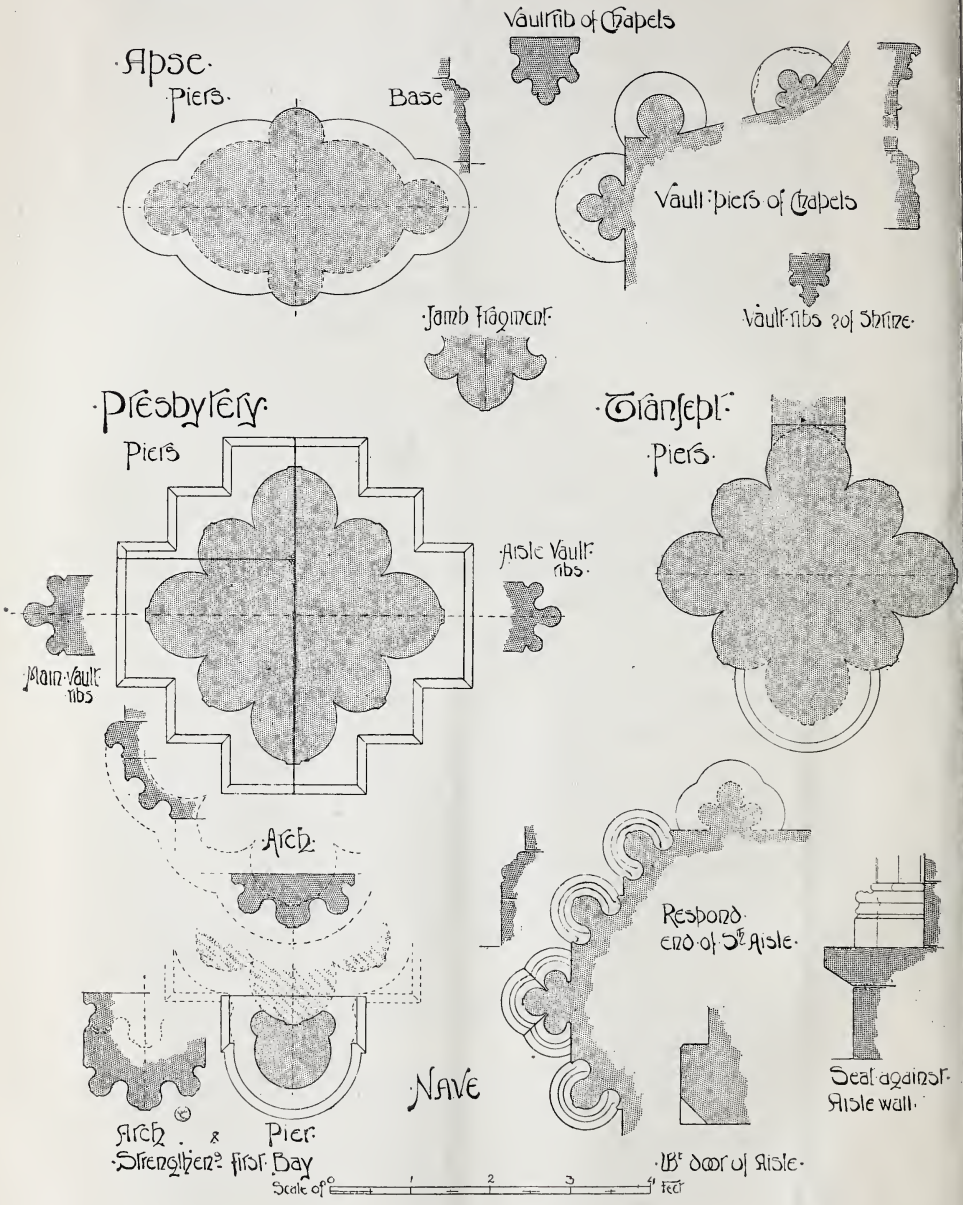
The nave was eight bays in length, with north and south aisles, but so far as at present excavated nothing beyond the south aisle wall remains above the footings. The easternmost bay was considerably wider than the others, but the arch into the aisles was of the same width as the rest.

The usual division walls between the nave and aisles of a Cistercian church certainly did not exist in this first bay, unless they were built, like those in the presbytery, independently of the main structure. For adjoining the place where the south-east respond should be is a semi-circular base that supported a curious three-quarter column with a couple of smaller shafts at the sides, shaped at the back to fit the mouldings of the older respond.[2] A number of long stones of this shape were found in this bay, but not else-

[1] At the Austin canonesses' houses of Lacock and Burnham the stairs are similarly formed in a thickening of the dorter wall, but served the double purpose of day and night stairs, and are entered from the cloister and not from the church.

[2] The object of these was first pointed out by my friend, Mr. W. H. St. John Hope, to the Rev. Canon Bazeley, before I visited the excavations.

:Haukes:


Apse
Piers
Base
Vaulrib of Chapels
Vault piers of Chapels
Jamb Fragment
Vault ribs of Shrine
Presbytery
Piers
Main Vault ribs
Aisle Vault ribs
Transept
Piers
Arch
Arch & Pier Strengthen the first Bay
Nave
Respond end of the Aisle
Seat against Aisle wall
Ist door of Aisle
Scale of 0 1 2 3 4 Feet

plan (*Fig.* 4, *Plate* II.) than by description. The lowest course and part of the base of one of these piers remains towards the south-east.

The old east wall, with its three arches, was afterwards removed, as proved by the existence of stones similar to the inner member of the main arcade being used up in the pedestal of the lavatory in the south aisle, of which more hereafter.

To the west of the southernmost chapel is a small doorway opening outwards into what was apparently the passage to the infirmary.

With respect to the internal arrangements, the excavations have been very successful; for whereas at Beaulieu and Waverley[1] not a sign has yet been found of any cross screens or quire stalls, here they have all revealed themselves with unusual clearness.

The high altar, as before stated, was immediately beneath the main east gable, but nothing remains of it except a rude mass of rubble foundations, which formed part of the platform. In the second bay on the south side the wall between the piers is thicker than in the others in order to accommodate the *sedilia* and *piscina*. In the westernmost bay on the north side is an interment once covered by a richly decorated monument.

The north aisle retains a considerable amount of its original tile paving: it had a wide band of tiles down the centre, evidently to guide the procession.

The south aisle had in its westernmost bay on the north side a lavatory with a small drain leading therefrom for a short distance. An exactly similar arrangement existed at Beaulieu, and its use was probably to receive any holy water that remained over after the Sunday procession. At Fountains it exists in the form of a piscina in the seat beneath the wall arcade, and at Furness just within the

[1] Since this was written a portion of the footings of the *pulpitum* has been found, and it is hoped that by further research other evidences of the arrangements may be traced.

vestry. In all cases it seems an afterthought, and at Hayles the pedestal is formed of stones similar to the inner member of the main arcades.

The transepts show little of any arrangements except that the chapels were raised a step above the main floor, and were enclosed by screens, probably of stone, between the arches.

The quire occupied part of the crossing and the first bay of the nave. The quire screen was of stone, and placed slightly westward of the first pair of nave piers. Allowing the normal space for each seat, there appear to have been fifteen stalls to the north and south and three on either side the quire door facing east, making thirty-six in all. In front of the north and south ranges of stalls is a sunk trench 2¼ feet wide, which was apparently the space beneath another range of seats for the novices.[1]

Besides the door through the screen at the west end of the quire, which was known as the lower entrance, there were other entrances on either side eastward of the stalls and immediately westward of the east crossing piers, known as the upper entrances. Between the eastern piers of the crossing were the *gradus presbyterii.*

Six feet westward of the quire screen in the nave was another transverse screen, and these two screens supported the *pulpitum.* The usual flanking altars on either side the quire door do not seem to have existed at Hayles, or if they did at first they were subsequently removed upon the erection of the nave altar.

Between the third pair of piers was another cross screen, upon which would stand the great rood, with the nave altar in front, flanked by two doorways through the screen.

Between this rood-screen and the *pulpitum* was the retro-quire, where the occupants of the infirmary attended to hear divine service.

The four westernmost bays of the nave were originally

[1] This was paved with large lozenge-shaped tiles some 12 inches beneath the floor level.

occupied by the quire of the lay brothers, as Mr. St. John Hope so clearly proves in his *Monograph on Fountains.* It seems clear that at Hayles, as in other Cistercian houses in this country, the lay brothers' quire was subsequently disused and removed together with the solid walls under the main arcades at the back of the stalls.

In the north aisle opposite the second pier was a cross screen that apparently had an altar to the west, and in the south aisle was a corresponding screen, but without any remains of an altar. At the next pier on this side was another cross screen with an altar, and in the third and fourth bays between the main piers are two interments formerly surmounted by very ornate canopied monuments.

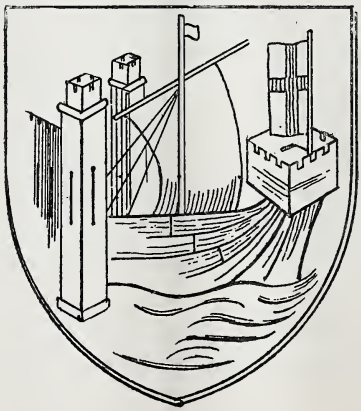
BRISTOL CITY COAT OF ARMS.

By F. WERE.

The origin of this paper is the publication by the Council of Bristol, comparatively lately, of the city's *Little Red Book*, in which is the *facsimile* of a Charter granted by Edward III. in 1373 (vol. i., p. 115), thus constituting the town a county. Now, on its illuminated capital letter, hanging by a cord, is a heater shield, terribly blurred. I have not seen the original, but this is evidently a very carefully executed copy, sufficiently clear to prove its heraldic character; and as I cannot find any earlier blazon, all earlier forms that are engraved being round and therefore seals, it is very valuable as a starting-point for this discussion.

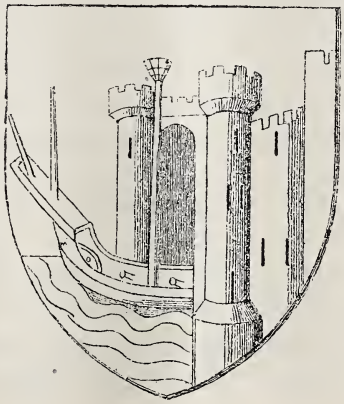
I have chosen three examples as types for blazoning, which seem to have been in use, but shall allude to others while analysing these separately, first stating that as regards the tincturing there seems to be no ground for thinking that it has varied much; only in its disposition at different eras has there been any change.

I. The shield on the Charter at once shows an especial



difference from the modern ones; the annexed illustration, being a sketch from the original MS., supplied by Mr. Arrowsmith, certainly brings out greater details, in that the castle is on the dexter side. This would be its proper position, as it was on the right bank of the river. The sketch makes it have two bastions in close perspective, the parapets are corbelled out and machicolated, but it shows no foreshore such as the *Red Book* would lead one to suppose. The ship, of bold design for such an early date, of which about half is visible, is issuing from between the bastions, with one mast flying a pennon, and its rigging, whilst it carries a square sail set to port; it has a bold bluff bow bearing a true forecastle which carries a Jack and flag charged with a cross, say St. George's; it rests upon water of barry wavy lines: the *Red Book* leaves almost all these details to the imagination. The heraldic reading would be: "Gules issuing sinisterways from a castle argent masonried sable, part of a ship or, rigging and part of mast of the third, sail, pennon, and flag of the second, the last charged with a cross ? of the first, in base water, barry wavy of six silver and azure." This would seem to imply that the river flowed between the two bastions, so it looks as if the entrance from the Frome was intended, though not yet turned into a regular gate.

II. This next escutcheon appears in Seyer, i. 378, who



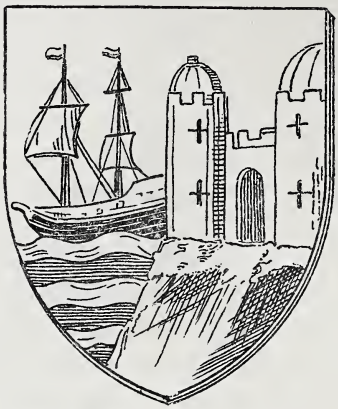
says the original is in Robert Ricart's picture of the ceremony of admitting a new mayor about 1480. Now the first thing that strikes one is that the castle has changed its position on the shield during the past hundred years. But is it the castle? No, it is the water-gate, as the blazon plainly shows, with its darkened archway, out of which the ship is coming. Can it be that during that period the water-gate was built, or generally used for the passage of ships up the Frome, and therefore this was considered the most appropriate charge? But why was its position changed? Simply because it was the only way of picturing the scene which actually took place; viz., that the ship had to turn to starboard, which she is actually beginning to do in the blazon, so as to leave port, which could not be so pictured on the dexter side. Unfortunately, the heraldic blazon is outraged, as only the bow with its sprit and jack, or fore-mast, and the large top of the mast, unless the archway may be tricked sable, is on tincture, the rest being upon metal. What strikes one is, that there is no foreshore, the further bastion being in the water, and that there are no sails or rigging; also that the mast could not pass through the gate, the turrets are not yet domed, and the water is "barry wavy of five."

Adjoining this last shield on the same plate are two more, showing the successive artist's license employed on them, the first being the arms as appearing on a Grant by Queen Elizabeth: by "Grant," I do not know whether Seyer means a "Patent of arms," or only illuminated roll, but it contains the first mention of a crest, as well as supporters (p. 380), and so is very valuable; therefore one can but conclude that it had a Herald's authority. This is the one evidently reproduced in the *Book of Public Arms*, though the engravings are not identical, and I am inclined to think Seyer's the more correct. But there evidently has been here an honest attempt to reconcile the artistic and the heraldic views. Instead of the archway between the two bastions, a very singular slit has been made in the further turret bastion,

evidently with the idea of making the ship on the field, thus leaving only a very narrow streak of metal upon metal. The ship has fore and main masts, bowsprit, sails, rigging, and very high forecastle; the water-gate is treated as stated; the turrets are domed with a pennant on each, thus copying the view of the water-gate printed on plate (p. 380); the foreshore appears now in the shape of an heraldic mount, so that the base of the coat is strictly "party per pale." But the dexter water is curiously blazoned, looking more like fragments of "barry wavy"; or it might be fish or water-fowl, which I suppose would have to be read proper; but it is certainly not a seascape, as in the *Public Book of Arms*. It would, of course, be quite impossible for the ship to come out of the archway as its masts are throughout the escutcheon. The second, taken from Millerd's works, 1670—1700, shows the ship with two masts visible, and the shrouds of the third almost filling the narrow port as in the last; it has top and lower sails, one on each mast bent and furled, while each carries a flag charged "quarterly argent and gules," which would not be heraldic; the bowsprit and forecastle are non-existent, there not being room in the shield, but its rigging extends to the outside; the water-gate's domed turrets have been ribbed and flattened on top, more like Imperial crowns, and each carries a double pennant, gules with a Canton argent, not heraldic. The mount has become boulder cliffs reaching into the dexter half, and the water has returned to its "barry wavy," though in this case of eight. This quick change looks almost as if it was done by authority. To show that water was generally represented by "barry wavy" we have the "gurges" of the Gorges coat as an example, which is "azure," and what might be called "barry mazey argent, a whirlpool."

The Bristol farthing, 1652, shows a three-masted ship coming out of a coved archway, which would not violate the heraldic law. This has no mount and very little water; but being a stamp, it could not be said to set a type.

III. I come now to the last example: this is given on



the title-page of Barrett's *History of Bristol*, 1789. Here the water-gate idea is abolished, it having become a castle on a very pronounced mount—quite a cliff, suggestive of St. Vincent's rocks,—the real castle, and I suppose its water-gate, having been demolished previous even to the last shield mentioned. It has the top of the domes finishing in a knob and no pennants; the ship may be a three-master, the mizen being hidden by the castle, and is full-rigged, outward bound; the water is "barry wavy of six argent and azure," both it and the field being heraldicly lined. The Armory and Papworth's reading must have been taken from one somewhat similar to this, as they give the masts and rigging "sable," which might be correct if they were on the sails; whereas they certainly ought to be "or," as the sails would be argent on the gules field. All this has been caused no doubt by the change of position of the ship.

Crest.—This usually appears on a wreath. This arrangement, of course, is an anomaly, for the wreath is part of the helmet, and is the moulding that hides the junction of the crest and helmet; therefore it is like cutting a slice off the latter. But it seems very difficult to see how a city could wear a helmet. If it was intended for its mayor, he was a man of peace, and did all his fighting by deputy;

and it is still harder in modern times, seeing that it might have to be altered every year according to the rank of the mayor. Surely a more suitable structure to ensign the crest would be either one of the old gateways in a walled city, or else the gable or pediment of its town-hall in a modern one.

To sum up, seeing that the castle has vanished, and with it the water-gate, so that the mediæval varieties of the city arms bear no longer any relation to fact, and present the absurdities of a camel going through the eye of a needle, as well as an outrage of heraldic law, it would be an advantage (though, of course, it would be an annoying one for a time) to revert to the earliest form as used in Edward III.'s Charter, but this would require a new Grant.

THE FAMILY OF CATCHMAY.

By the Rev. WILLIAM TAPRELL ALLEN, M.A.,
Late Vicar of S. Briavel's.

Nicholls, in his *Personalities of the Forest of Dean*, speaks of this family as connected from an early date with the Forest district, and mentions that the name occurs in the Wyrhall deeds so far back as the year 1390. I have, however, had it brought under my notice somewhat earlier, in a charter of one Roger le Carpenter, of Saint Briavell's, confirming to one John Cout, of that place, "a diet of land, in one part adjoining the land of 'John Cachemayde.'" The date of this charter is the eighteenth year of Edward II. (1325), and John Cachemayde was one of the witnesses to it. This charter is in the possession of Mr. Hooper, the Diocesan Registrar at Worcester, who claims to be the present representative of the Catchemays through the female line.

In the Harleian MSS., No. 877, fol. i., is the following charter:—

"Carta Johannæ Vyeyan Priorissæ Ecclesiæ B. Mariæ de Clerkenwelle juxta London et ejusdem Loci Conventus, et Willelmi Cacchemayde personæ Ecclesiæ B. Mariæ de Wolnothe in Lumbarde strete London, de fundacione Cantariæ in Ecclesia Parochiali prædicta; deq: indotatione ejusdem Cantariæ pro sustentatione duorum Capellanorum, Divina singulis dicbus in Eadem Ecclesia celebraturorum pro animabus Thomæ Noket civis et pannarii Fundatoris, Margeriæ uxoris ejus, &c. dat: 10 die Mensis Julij anno 23 R. Richardi II.—(1399)."

This charter may be thus translated:—

"Charter of Joan Vyeyan, Prioress of the Church of the Blessed Mary of Clerkenwell, near London, and of the Convent of the same place, and William Cachemayde, Parson of the Church of the Blessed Mary of Wolnoth, in Lombard Street, London, concerning the foundation of a Chantry in the Parish Church aforesaid, and concerning the endowment of the said Chantry for the support of two chaplains for the celebration of Masses every day in the said church for the souls of Thomas Noket, Citizen and Clothworker, the Founder, Margery his wife, &c. Given the 10th day of July, in the 23rd year of King Richard II.—(A.D. 1399)."

Everyone conversant with old registers, deeds, and other documents must be aware of the variations in the spelling of surnames, and thus we find the name of Catchmayde curiously distorted by careless or ignorant scribes. Sometimes it is written Cachiman, sometimes Catchmint; and in certain claims made before the justice of the Forest of Dean, 10 Charles I. (1634-5), the name is spelt Katchmay. The arms of Catchmay, of Bigsweir, are given thus: "Two bars on a canton, five billets in saltire." Two other exemplifications of the arms are given in the Harleian MSS., No. 6,185, namely:

1. "A fess between three demi-lions couchant."

2. "A chevron, charged with three crescents, between three demi-lions, rampant."

In *Grants from the Crown* (State Papers, Domestic series) are the following entries:—

"July 9 Greenwich 1 Hen. VIII. (1509). Delivered at Westminster 21 July.

"Philip Cachemaid to be riding forester of Dean forest, taster of Newland ale within the said forest with the gawlership of one side of the wood towards Newland."

"Philip Cachmay to be keeper during pleasure of the 'Gawle above the wode' in Dean Forest, Glouc. Corfe Castle 20 Aug. 2 Hen. VIII. (1510).

"Del Knoll 25 Sep.

"Patent R. 2 Hen. VIII. p. 2 m. 6."

Nicholl says that this Philip Catchmay held a dwelling-house with 100 acres of land in Newland:—

"Rich Cachemaide page of the chamber To be beadle of the forest of Dean Glouc in the same manner as Thomas Moton held it with fees out of the Lordship of St. Brevell's and Dean forest.

"Greenwich 15 June 4 Hen VIII. (1512). Patent 4 Hen VIII. p 1. m 18."

"11 April 1520.

"Greenwich 10 March xi Hen VIII. Delivered at Westminster 11 April.

"Ric: Cachemaid page of the chamber and Tho. Garton page of the Wardrobe of Beds To be beadles of the forest of Dean Glouc: and doorwards of the castle of St. Briavel there upon surrender by Cachemaid of patent 30 July 4 Hen VIII. (1512). In the Originalia Rolls temp. Hen. VIII. there is a grant to Richard Catchmayde of lands in London and the County of Gloucester—Anno 2 Rotulo 28."

These lands, &c., appear to have been two "tenements and a piece of waste land in Flete Street called the sign of the Walshman, and one in the Old Baillye, London" (Nicholl). The lands in Gloucester may point to Bigsweir; but I think it doubtful.

Bigsweir, with a half fishery in the Wye which had been attached to the castle of St. Briavel's, was given by Edward II. to the see of Llandaff, which was poorly endowed. It was afterwards transferred to Tintern Abbey, and at the Dissolution fell to the Crown; and Richard Catchmay, being evidently a *personâ grata* at the Court, seems to have become possessed of it. But as the monasteries were not dissolved until the 31 Hen. VIII. (1540), the grant of Bigsweir to the Catchmays could not have been at an earlier date: and it may have been obtained by purchase; but I am not possessed of evidence either of a grant or purchase, and I think Fosbrooke must have been in error when he states in his

History of Gloucestershire, vol. ii., p. 141, that the manor of Bickswere was granted to Richard Catchmay in 2 Henry VIII. (1510).

In the Certificates of Chantries in the Record Office (No. 37, Certif. 23), it is said that Margaret Chachemay held one meadow and a parcel of land in Hollow Marsh (S. Briavel's), also the Horsepools—a tenement,—a parcel of land at Mark, and a parcel of land near Hollow Marsh. And, as regards the lands of the monastery of Grace Dieu, that Thomas Cat(c)hmay held Wetherfield (Withersfield); John Catchmay, a tenement, and Stowe meadow; and Matthew Catchmay, certain parcels of land.

In the chancel of S. Briavel's Church are the remains of a handsome Elizabethan monument to the memory of Wm. Warren, of Willsbury in the parish of S. Briavel's, and Mariana Catchmay, his wife. He died in 1572.

In the exemplification of a fine levied by George Wyrhall, Esq., in the 1 Jas. I. (1603), the name of George Cachmay appears as of Bigswear, Esquire; and in an account of a stocktaking at "Tynterne wire-works and the yron workes at Lydbrooke" the document is signed by "Georg' Cachmay," as one of the partners. This document is in my possession. The account is made up to 24th December, 1605.

Sir Richard Catchmay farmed the Crown Manor of S. Briavel's in the 13 Chas. I. (1637–8); and in some Exchequer Depositions of the 16 and 17 Car. 1 (1641), Mich. 33, Hil. 13, he appears as plaintiff in a suit against Jas. Gough, son, and Dorothy Gough, widow, of Warren Gough, late of Willsbury, deceased, respecting a heriot payable on Willsbury and other lands possessed by the said Warren Gough.

In a Parliamentary Survey held in 1651 Sir William Catchmay is described as of Ellissmore, *i.e.* Aylesmore. Sir William parted with this estate to the Bond's of Newland between 1651 and 1661, probably on account of succeeding his father at Bigsweir. He married Ellinor, daughter of

Richard Gough, of Hewelsfield. She died in 1661, and was buried at Hewelsfield. Sir William died in 1683, and was buried at S. Briavel's.

I am unable to find the pedigree of George Cachmay of Bigsweir (1605), and think it probable that his successor was Sir Richard, who is said to have married a daughter of Sir John Bridges, first Lord Chandos; and to have had a daughter, Frances, married to Henry Hackett, of Penterry, Co. Monmouth. She died in 1642. A Lady Frances Catchmay died in 1629, and was buried at S. Briavel's. I learned this from a transcript in the Diocesan Registry at Gloucester. Unfortunately the registers of the Parish Church of S. Briavel's were lost or destroyed during the Commonwealth, and the earliest register now existing dates back only to 1660.

A Sir Richard Catchmay, Knt., of Bigsweir, probably a son of the Sir Richard above-mentioned, married Frances, daughter of John Tracy. She died in 1696, and was buried at S. Briavel's. The issue of this marriage was Sir William Catchmay, of Aylesmore, mentioned above, who died in 1683. He appears to have had two sons, Tracy and William, and three daughters, Frances, Eleanor (who died in 1694), and Elizabeth (who died in 1731, aged 84). These two last were buried at S. Briavel's. Sir William was summoned to the Heralds' Visitations for Gloucestershire in 1682 and 1683.

Sir Richard Catchmay is mentioned in the State Papers as renting iron-works in the Forest of Dean, having William Rowles and Robert Treswell as his overseers. He was one of the trustees named in the will of William Whittington of S. Briavel's, in 1625.

In 1694 a William Catchmay, Cler:, was minister of the Parish of Llandogo, opposite Bigsweir. He may have been a son of Sir William.

In some claims before the Justice of the Forest of Dean, 10 Chas. I. (1634-5), among many others, "Sir Richard Katchmay seised in fee of lands and tenements called suit

lands in the parish of St. Briavell's claims necessary house-boote for repairing and rebuilding his houses of ancient time built by view and allowance of the Constable of the Castle ot St. Briavell's, the Foresters and Verderers of the Forest from the King's woods growing in the wastes of the Forest, and estovers for fuel in his houses and tenements. He also claims as appertaining to his lands and tenements common of pasture in commonable places outside the fenced lands, and covert of the Forest for all his commonable cattle levant and couchant at all times of the year except in the close month, and pannage for his hogs and pigs ringed, in pannage time in the King's wastes and woods. He and all his predecessors who were seised of the Suitlands have enjoyed the said liberties &c. from time immemorial; and he prays that they may be allowed to him and to his heirs."

In the parish register of Monmouth is an entry of the burial of one Wm. Catchmay, "a prisoner from Lancawte," in 1645. This may have been Mr. Catchmay of Trellech, who was on the side of the Parliament, and is mentioned in the *Life of Jeremy Taylor*, p. 25, Bishop Heber's edition.

In the Originalia Rolls, temp. Jas. I., are the following grants made to a Thomas Catchmay, Esq.:—

"A farm in the County of Montgomery. 4 Pars Original Anno 9. Rot. 79.

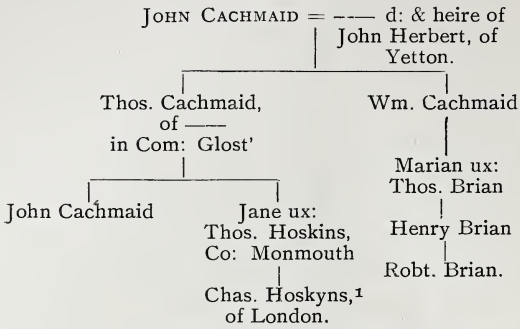
"To the same Thomas and Robert Corbet a grant in the counties of Kent, Derby, Salop, York, Leicester, Rutland, Suffolk, and in London, for 40 years. 8 Pars Original Anno 5 Rot. 61.

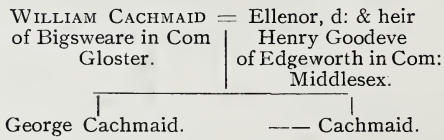
"To the same, Farms demised in the counties of Kent, Stafford, Surrey, Oxford, Berkshire, and York. 5 Pars Original Anno 6 Rotulo 39.

"And to Thomas Catchmay Gen: a concession in the County of Stafford. 9 Pars Original. Anno 6 Rotulo 126. also

"A Farm demised in the County of Suffolk. 10 Pars Original. Anno 6. Rotulo 60."

In the Harleian MSS., 1563, 80 b, are the following pedigrees :—





No dates are given, and I am inclined to believe that this pedigree relates to the Catchmaids of Monmouth. A George Catchmay, of Monmouth, was married to Mrs. Mary Davis, of Tutshill (Tidenham), Decr. ye 26, 1744. In the Harleian MSS. 6,185, page 78, the pedigree of John Catchmay is given only in part, the son William being omitted.

In certain Articles of Agreement between the Duke of Kent and Viscount Gage and his wife, Benedicta Maria Teresa, daughter and heir of Benedict Hall, late of Highmeadow, dated 16th November, 1730, the signatures of E. and G. Catchmayd appear as witnesses. They seem to have been agents of the Duke of Kent. The Articles of Agreement refer to a certain fishery, or fisheries, in the Wye.

I may now return to the issue of Sir William Catchmay, of Aylesmore, or rather to his elder son and heir, Tracy. Tracy Catchmay was Deputy Constable of S. Briavel's

1 Bigland states that Stowe (Grange) was alienated to Hoskins, descended from Thos. Hoskins, Co. Monmouth, who married Joan, d. of Thos. Catchmayd. The present Stowe Grange was built by Kedgwin Hoskyns, circa 1635.

Castle in 1692. In 1700 he married, on July 16th, at S. Dionis Backchurch, London, Barbara, daughter of Reginald Bray, of Barrington, Co. Somerset, Esquire, and widow of —— Stephens. In the Harleian Society's publications, vol. 49, the entry in the Church Register is thus given:—

"Tracy Catchmay of Bixway (Bigsweare) Co: Glouc. Esq Bachelor and Barbara Stephens of S. Paul Covent Garden Co Middx widow."

The issue of this marriage was—

1. William, b. 1701; died s.p. 1743; buried at S. Briavel's.
2. Tracy, b 1702; d. s.p. 173$\frac{4}{5}$; buried at S. Briavel's.
3. Jane, b. 1703; m. 1735 Major James Rooke, son of Major-Gen. Hayman Rooke.

Tracy Catchmay died 30th November, 1708; and his widow, Barbara, died 23rd January, 174$\frac{0}{1}$, aged 75. Both were buried at St. Briavel's.

The issue of Major James Rooke and Jane (Catchmay) was—

1. Jane; died 1796.
2. James; died 1805. Married, 1777, Elizabeth, daughter of —— Brown, of S. Briavel's. She died 1806.
3. Barbara, born 1741.
4. Frances, born 1743; died 1746.
5. Mary, born 1745; died 1745.

James Rooke, Esq., died 1773, aged 89. His son, General James Rooke, M.P. for Monmouth in five Parliaments, died in 1805, leaving a son, Colonel James Rooke, who married Mary Rigge, and had a son, Captain George Rooke, who died s.p. 1839.

EXTRACTS FROM REGISTERS, &c.

TRANSCRIPT (FROM AN OLD S. BRIAVEL'S REGISTER) IN THE DIOCESAN REGISTRY, GLOUCESTER.

1629.—Lady Frances wife of Richard Catchmay Knight, buried 3 Nov:.

FROM MONMOUTH REGISTER.

1645.—Buried May 13 William Catchmayd from Lancawte prisoner.

FROM S. BRIAVEL'S REGISTER.

BURIALS.

1683.—Jan. 20. Guilielmus Catchmay, Miles, sep: fuit. An affidavit was returned in due time. (This refers to the burial in woollen, according to the Act 20 Charles II.)

1694.—Sept. 24. Mrs. Ellenor Catchmay sepulta fuit.

1696.—Octob^{ris} 14. Do^{na} Francisca Catchmay s.f.

1708.—Novembris 2$^{do.}$ Tracy Catchmay Esq.

1731.—Aug. 29$^{o.}$ Elizabetha Catchmay Sep.

1733.—Feb. 19. Tracy Catchmay Armiger Sep.

174$\frac{1}{2}$.—Jan. 26. Mrs. Barbara Catchmay.

1743.—Mar. 30. William Catchmay.

1745.—Sept. 30. Mary d of James Rooke and Jane his wife.

1746.—June 28. Frances d of James Rooke Esq and Jane his wife.

1773.—June 18. James Rooke Esq.

1790.—July 15. Mrs. Jane Rooke.

1805.—Oct. 11. General James Rooke M.P. for Monmouth in 5 Parliaments, Bigsweare.

1806.—Mar. 10. Mrs. Elizabeth Rooke relict of General Rooke. Bigsweare.

MARRIAGES.

1777.—James Rooke and Elizabeth Brown both of St. Briavels were married by License by William Seys Vicar Tidenham.

July 3. 1735.—James Rooke Esqr and Jane Catchmay.

BAPTISMS.

1701.—Aprilis 24$^{to.}$ Guilielmus filius Tracy Catchmey (*sic*) Gen: & Barbaræ uxoris.

1702.—Julii 27$^{mo.}$ Tracy ffilius Tracy Catchmay Gen & Barbaræ uxoris.

1703.—Julii 25$^{to.}$ Jana filia Tracy Catchmay Gen̄ & Barbaræ uxoris.

1741.—Sept. 30. Barbara the daughter of James Rooke Esq. by Jane his wife.

1743.—December 23. Frances the daughter of James Rooke Esq. by Jane his wife.

1745.—September 21. Mary the daughter of James Rooke Esq. by Jane his wife.

HEWELSFIELD REGISTER.

BAPTISM.

1664.—March 7. Gulielmus filius Gulielmi Catchmay & Barbaræ uxoris eius.

MARRIAGES.

1684.—Aprilis 15. Matrimonium celebratum fuit inter Richardum Berrow de Parochiâ S^{to} Briavell's et Jaannam Catchmay de hujus (*sic*) parochiâ.

1689.—Aprilis 23$^{o.}$ Matrimonium celebratum, fuit inter Georgium Lewis Jun^{eam} de Parochiâ de Landoggo in comitatu Monmouth et Elizabetham Catchmint de huius parochiâ.

1696.—Februarii 2$^{o.}$ Matrimonium celebratum fuit inter Johannem Worgan de Parochiâ Novæ terræ (Newland) et Elizabetham Chatchmint.

1716.—Maii 24$^{o.}$ Edwardus Perkins de Llandoggo Comita: de Monmouth & Elizabetha Catchmay de Huelsfield Matrimonio conjuncti fuore.

BURIALS.

1665.—September 18. Charles Cachmay sepultus fuit.

1669.—June 5. George Cachmay sepultus.

1669.—June 17. Tho Cachmay sepultus.

1675.—Jan. 24. Thomas Chatchmay sepultus fuit.

1677.—ffebruarij 16. Thomas (? Thomasina) Catchmay sepulta fuit.

1690.—Octobris 17. Guilielmus Catchmint sepultus fuit.

1691.—Novembris 12$^{o.}$ Guilielmus Catchmint sepultus fuit.

1691.—Decembris 24. Francisca Catchment Vid. sepulta fuit.

1700.—Aug^{ti} 3$^{o.}$ Guilielmus filius Guilielmi Catchmint et uxor: sepultus fuit.

1703.—Martii 1$^{o.}$ Anna Catchmay Vidua de Par: St Briavelli sepulta fuit.

1711.—Jan^{rii} 8$^{vo.}$ Barbara Catchmay sepultus fuit.

FROM NEWLAND REGISTERS.

MARRIAGE.

1622.—Jan. 24. Matrimonium inter Richardū Catchmay de Landoggo et Cecilā Gwillim de Newland.

BAPTISM.

1623.—Dec. 30. Baptizata fuit Dorethia Catchmaye filia Rich: Catchmaye de Llandoggo.

BURIAL.

1706.—Sep. 23. John^{s} fil: Gulielmi et Eliz: Catchmay Gent de Newland.

BAPTISM.

1706.—Oct. 12. Bap Gulielmus fil: Gulielmi et Eliz: Catchmay Gent de Newland.

BURIALS.

1706.—Oct. 12. Sep: Gulielmus fil: Gulielmi et Eliz: Catchmay Gent de Newland.

1707.—July 9. Sep: Tho: fil: Gulielmi et Elizabethæ Catchmay Gent de Newland.

1709.— . . . fil: Gulielmi et Eliz Catchmay de Newland. (Only date of year given.)

1734.—Oct. 5. Sep. Maria Catchmay de Clowerwall.

1748.—Dec. 17. Bur^{d} Rebecca Catchmay de Whiteleaves (now Whitecliff).

At the restoration of S. Briavel's Church in 1861 the inscribed stones were ruthlessly taken up and scattered. Fortunately, Bigland preserved the inscriptions in his

County History. I therefore am able to give those which relate to the Catchmays.

IN CHANCEL ON FLAT STONES.

"Here lieth the body of William Catchmay Esq eldest son of Tracy Catchmay Esq of Bigsware by Barbara his wife. He departed this Life March 29. 1743 aged near 42."

"Here lyeth the Body of Tracey Catchmay Esq who married Barbara the daughter of Reginald Bray of Barrington Esq by whom he had issue William, Tracey, and Jane. He died the 30th Day of November 1708. And also the above named Barbara who departed this Life Jan. 23, 1740–1 aged 75."

"Here lies the Body of Tracey Catchmay Esq. youngest son of Tracey Catchmay by Barbara his Wife. He departed this Life Feb. 17, 1734 aged 31 years."

On a flat stone: Arms—On a chevron 3 chess rooks between 3 rooks. Crest—A dexter arm embowed holding a pistol.

"Here lieth the Body of Jas. Rooke Esq. of Bigsweare. He departed this Life June 16, 1773 aged 89 years, who married Jane the daughter of Tracey Catchmay Esq. Surviving issue by her James, Jane, and Barbara."

The name of Catchmay has vanished from the neighbourhood.

Captain George Rooke, who died unmarried in 1839, devised the estates to a cousin, Captain Rooke, of the Scots Fusilier Guards, elder son of Sir Willoughby Rooke, an old Waterloo officer, who died at Pilstone, in the parish of Landogo, some thirty years ago. The present possessor of the estate of Bigsweir is George Douglas Willoughby Rooke, grandson of Captain Rooke, to whom the estate was devised. He has recently returned from South Africa, where he has been fighting the Boers with Paget's Horse. He married a few years ago Aileen, daughter of the late Mr. Bosanquet, of Trellech.

Since the above was written, I have had the opportunity of consulting Sir Bernard Burke's *Extinct and Dormant Peerages*, and find that Sir John Brydges was created, by Letters Patent, Baron Chandos in 1554. He married Elizabeth, daughter of Edmund, Lord Grey de Wilton, and had by her seven sons and three daughters:

1. Catherine, married Edw. Sutton, Lord Dudley.
2. Elizabeth, married John Tracey, Esq., of Todington, Co. Glouc.
3. Mary, married George Throckmorton, Esq., son of Sir George Throckmorton, of Coughton (? in Walford, near Ross).

By his marriage to Frances, daughter of John Tracy, Sir Richard Catchmay, of Bigswear, became connected with the first Lord Chandos.

In Smyth's *History of the Hundred of Berkeley* it is stated that in the 13 Henry VII. (1497–8), "John Longford, a merchant in Bristoll," conveyed certain lands and tenements (3 tenements and 180 acres of land) in Came to "Mathew Catchmay and his heirs"; and in the 21 Hen. VIII. (1529–30), William Catchmay conveyed to Richard Brayne a messuage in Came, and all his lands there which descended to him from his grandmother, Agnes Catchmay. At a later date a title to these lands was put in by "George Goffe in right of Mary his wife, Jone ap Roberto, widow, and Thomas James, as co-heires to Mary Catchmay, after wife of William Warren." The matter was settled by arbitration in 20 Elizabeth (1577–8). The Mary Catchmay here named is called by Bigland, "Mariana." She was married to William Warren, of Willsbury, in S. Briavel's, Esq. He was a man of some importance, being Deputy-Constable of S. Briavel's Castle. He had two sons and two daughters. The elder son died on approaching manhood, the younger apparently in infancy, and they were buried in the chancel of S. Briavel's Church. Of the two daughters, Mary married George Gough, of Hewelsfield Court, Esq., who succeeded to the Willsbury

estate; and Margaret married Thomas James, of Soylwell, in Lydney, Esq.

William Warren died in 1572, and was buried at S. Briavel's; and a sumptuous monument bearing the effigies of himself and his wife, and with the shield of his arms—checky or and azure—at the back, was erected over their remains. I do not know who Jone ap Robert was. On the panel at the lower part of the monument only two daughters and two sons are figured, the younger being an infant, swathed, as was the custom. This tomb is partially given in Bigland's *History*. Taken down when the chancel was rebuilt in 1861, it was never replaced, and the *débris* is scattered in different parts of the Church.

Early in the reign of Edward VI., Thomas Catchmay held Witherfeld and other lands in S. Briavel's. John Catchmay held a tenement and Stowe meadow; and Matthew Catchmay held Stowe Grange under the Abbey of Grace Dieu, near Monmouth, at a rental of 46s. 8d. (Report of Commissioners).

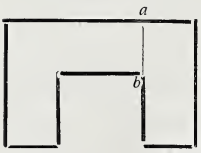
In 1677 Tracy Catchmay, of Bigsweare, Esq., was Lord of the Manor of Crick, near Caerwent, Monmouthshire, which a few years before had belonged to the Moore family. By his marriage with Jane, a daughter of Tracy Catchmay, and heiress of her brothers Tracy and William, who died s.p., the manor passed to James Rooke, Esq., and was sold by his son, General James Rooke, in 1784.

A NOTE ON HIDCOTE HOUSE.

By S. G. HAMILTON.

Hidcote House was built in 1663 by Francis Keyte, a brother, if I am not mistaken, of Sir John Keyte, the first Baronet "of Ebrington," as he called himself. Francis Keyte married Alice, daughter of Sir William Spencer, of Yarnton, near Oxford, whose manor-house is a conspicuous object from Yarnton Station, on the Great Western Railway. I suspect that Francis Keyte borrowed the characteristic form of his gables from his father-in-law's house.

The house was not originally of the L-shape, which it now has. There was another wing, thus:



and the wall *a b*, which is now the end of the house, may be seen to be poorly and roughly put together. Indeed, it has given me a good deal of trouble by cracking and bulging. The second wing is clearly shown on an old estate map in my possession of about the date 1749.

It was about that date that the house with the small estate belonging to it passed into my family by purchase from the Dightons. Francis Keyte left two daughters only: as for the elder, I would refer you for her career to Wood, *Life and Times* [ed. Clark, vol. ii., p. 25]; the younger, Alice, married Richard Dighton, in whose family the property remained till about 1750, as I have stated. Since that time, if not before, it has been merely a farm-house.

When I first remember the house, the hall was divided up into several chambers, used as store cellars for beer and cider, the windows having been blocked up, probably under

the pressure of the window-tax. The partitions were cleared away, and the windows re-glazed by my mother, about 1880. At that time the fine old stone fireplace was discovered and opened; it had been bricked up and plastered over, and was not known to exist. I cannot say that I like the tiles which were then laid to replace a hopelessly broken blue-stone pavement. But I do not think that there is any other instance of what Mr. Guy Dawber calls merciless modernisation, except the weather vane with the Keyte crest in it, which I am rather amused to see he refers to as though it were ancient. It is true that it replaces an old one, which was blown down in 1877, but that was quite plain; the Keyte crest was inserted on the strength of a tradition that it had originally figured there. I wonder, on the other hand, he did not notice the coat of arms of Francis Keyte over the hall door,—Keyte impaling Spencer.

The tradition is that the demolished wing contained the best rooms in the house; this seems to me not improbable, as those would naturally be left which would be most suitable for a farm-house. Probably the wing was not pulled down until it was found that the occupants of the house made no use of it.

When the demolition took place I cannot say. A map of 1812 shows the house *without* the wing. Consequently I cannot believe the story of an old man at Hidcote, who died last year at the age of 95, that he had been employed in the work of pulling it down himself; but it is likely enough that his father had been so employed, and that, as often happens, the son had inherited and appropriated the father's reminiscences. At any rate, it must have taken place between 1750 and 1812.

I do not think it is correct to say that "in *one* of the bedrooms the panelling remains *in situ*." There is a great deal more panelling than that; and with possibly the exception of "the one on the ground floor divided up with small panels," all that there is of it is "*in situ*." But of course the subsequent construction of passages—I do not know at

fathers."[1] So also he tells us that when Theodore feared that the Monothelite Heresy might infect the English Church, having gathered an assembly of very many venerable sacerdotes (no doubt bishops) and doctors, he enquired carefully of what belief they each were, and found them all of one consent in the Catholic faith."[2] This was at Hatfield in 680. In each case, at Augustine's Oak, at Hertford and at Hatfield, Bishops and Doctors were summoned on equal terms, not to determine what the Catholic faith was, but to bear witness to what they had received.

The phrase "usque hodie," *to this day*, is a very common one in Bede's writings. Thus the spot where S. Oswald had set up his cross near the Roman wall a century before was still known in Bede's day; till his day also were diseases, both of men and cattle, healed at Maserfield where the Saint was slain; and the place near a waterfall where James the Deacon had chiefly baptised, now no doubt Aysgarth,[3] was still known by the Deacon's name.

So far as I have been able to find, the word *confinium* is used, except in this place, only for the Humber.[4]

It was shewn at Over Park that Aust was known as Austin about 691, in Bede's lifetime, and as Austan in 794 and 929; but it will be better to state more fully the nature of the documents in which these forms of the place-name occur.

About 690 or 691 Æthelred, King of the Mercians, granted thirty cassates at Henbury and Aust to Oftfor, Bishop of Worcester, the operative words being these:—"Ego Æthelred Christo donante rex Mercensium pro absolutione criminum meorum, et pro amore Dei viventis terram qui vetusto vocabulo nuncupatur Heanburg et in alio

[1] H. E. iv. 5. Theodorus cogit concilium episcoporum, una cum eis qui canonica patrum statuta et diligerent, et nossent, magistris ecclesiæ pluribus.

[2] H. E. iv. 17. Collecto venerabilium sacerdotum doctorumque plurimorum cætu.

[3] *Notes and Queries*, Nov. 2, 1901. [4] H. E. i. 25, v. 23.

loco Æt-Austin hoc est circiter in illis duobus locis xxx cassatorum Oftforo meo venerabili episcopo."[1] The Harleian MS. 4660 contains, according to Kemble, who accepts the Charter as genuine, "copies of Charters from originals in the Archives of Worcester, probably by Hickes."

In 794 King Offa restored to Worcester Cathedral land at Aust which had been stolen by the Comes Bynna; the incident is thus related: "Contigit autem in diebus Offani regis Merciorum quod Bynna comes regis sustulit sine recte hanc terram æt Austan v manentes quod Æthelbald rex ante liberavit." The Charter is headed Austan.[2]

In 929 King Æthelstan granted to Worcester Cathedral "quandam terræ particulam in loco qui ab indigenis æt Austan nuncupatur vocabulo." The Charter is headed Austan, and the land boundaries commence thus: "This syndon tha land-gemæro to austan."[3]

These two documents are derived from "A Chartulary of St. Mary's, Worcester, compiled by Heming in the eleventh century from the originals at Worcester. A Collection of the highest value."[4]

We learn then, on the best authority that we can obtain short of original documents, that Aust was known about 691 as Austin, and in 794 and 929 as Austan. Kemble's *Index* gives no similar form except Austeen, which proves to be a boundary point in a Glastonbury Charter of 940, by which King Edmund gave to his thegn Elswith land at Batecumbe near Chedder. The boundaries run from high up on Mendip, down and across the Marsh to Axe, including Nyland; Austeen or Austien must have been on the high ground.[5] But this throws no light on the derivation of Aust.

Domesday gives two forms resembing Aust, both in Yorkshire: Austburne (f. 299, b), a member of Driffield, evidently Eastburn, and Austun (315, b) in Siraches Wapentake, a very large area; this might be Aston near Rotherham,

[1] K. C. D. xxxii.; *Cart: Sax:* 75; MS. Harl. 4660, fo. 1.

[2] K. C. D. clxiv.; C. S. 269. [3] K. C. D. cccxlvii.; C. S. 665.

[4] Kemble, C. D. vi., xv. [5] K. C. D. ccclxxxiii.; C. S. 749.

but its modern equivalent is quite uncertain. Austwick, in Clapham, is also no doubt from its position Eastwick. These Yorkshire forms seem to take their origin from the Northmen's word *Ost*, East, and are no guide for us, because Austin and Austan date from a period before the Northmen came here. Aust must be taken to stand on its own ground, and must be considered by itself, starting from the fact that at the time when Bede was ordained Deacon it was known as Austin.

And we must begin by making a clearance. A derivation sometimes proposed is *Trajectus Augusti*, by which name the Old Passage is supposed to have been called. But though this suggested derivation is found even in so excellent a work as *Councils and Ecclesiastical Documents*,[1] it is an entire fiction; there is no evidence at all that there ever was any place so called in Roman Britain, still less that the name was applied to the Old Passage.

There was a Station Trajectus on the road between Isca (Caerleon) and Aquæ Solis (Bath), which station is stated in the 14th Iter of the Antonine Itinerary to be viiii Roman miles from Abone and vi from Bath. It is true that Camden placed this station at Aust Passage; but even if, in spite of the distances assigned, we adopt this identification, it does not help us to the place-name Aust.

Again, we find two places in Roman Britain, and so far as I can discover only two, known as Augusta.

London was certainly called Augusta. The Ravenna geographer, writing in the seventh century, gives it in his list of British cities as Londinium Augusta (v.r. Augusti)[2]; while Ammianus Marcellinus, about 380, speaks of London as "an ancient town which in after times was called Augusta," and as "Augusta, which the ancients called London."[3] It would seem that in his time the name London was already out of date.

Again, Caerleon, Isca Silurum, was also known as Isca Leg: Augusta (v.r. Augusti);[4] and it derived this name from

[1] III. 41. [2] M. H. B. xxv. 2. [3] M. H. B. lxxiii. 2, lxxiv.
[4] M. H. B. xxii.

the fact that the Second Legion (Augusta) was long stationed there.

If, then, Aust Passage had been known in Roman times as Trajectus Augusti we might have expected that the name would have been recorded. As a fact we find no mention of any such name. Aust first appears in history in the lifetime of Bede as Æt Austin; and we naturally connect this fact with that other fact recorded by Bede, that the meeting place of St. Augustine with the British Bishops was in his day known as Augustine's Oak. We were, however, told at Over Park that it was doubtful whether at so early a date the old English g would have been softened, so that Augustinaes Ac could be pronounced Austinaes Ac. This point must be carefully considered.

It will be remembered that Bede, writing in Latin, gives the place-name in two forms: first the old English name by which the place was called; and then, as an explanation, the Latin form, "Augustinaes Ac, id est robur Augustini;" the old English paraphrase of Bede, dating from King Alfred's time, gives only the English form *Agustinus Ac*. But it does not at all follow that Bede's English and Latin forms were pronounced alike in his day. It is a very remarkable thing that there is an instance in which Aust is called in Latin Augusta at a time four centuries after King Æthelred had granted it to Bishop Oftfor as Austin, and about a quarter of a century after it had been entered in *Domesday Book* as Austre clive. Mr. Round, in his *Peerage and Family History* (p. 193), relates that Winebaud, brother of Hamelin de Ballon, gave c. 1100 the churches of Torteoda and Augusta, and the tithe of Godrinton and Pedicovia, to the Abbey of St. Vincent at le Mans.

Mr. Round identifies these places, no doubt correctly, with Tortworth, Aust and Gotherington in Bishop's Cleeve in Gloucestershire, and Pitcombe in Somerset, all of which places belonged in 1086 to Turstin Fitz Rolf. It is doubtful whether the Abbey received any benefit from this grant; the Church of Aust and the tithe at Gotherington no doubt

pertained to the Worcester Churches at Henbury and Cleeve, Tortworth is still an independent Rectory, and Pitcombe became a dependency of Bruton Priory. But for us the interest lies in the fact that though there had clearly been no hard g sound in the place-name for four hundred years, the scribe Latinised Aust as Augusta. The Charter is also interesting because it contains the earliest known mention of churches at Aust and Tortworth.

There is no doubt at all that Bede would have pronounced the g in *Augustinus* hard; this is evident from his praise of the verses by Prosper of Aquitaine on S. Augustine of Hippo:

> "Quod pulchre versibus heroicis Prosper rhetor insinuat, cum ait:
> Contra Augustinum narratur serpere quidam
> Scriptor, quem dudum livor adurit edax." [1]

And S. Aldhelm, a contemporary of Bede, uses it in the same way in many places, as in his poem on the Minster built by the Princess Bugga:

> "Quam jugiter renovant Augusti tempora mensis." [2]

But it does not at all follow that because Bede, speaking in Latin, would have pronounced the g in *robur Augustini* hard, that the letter would have had the same sound if he referred in English to *Augustinaes Ac*. There is a very considerable list of place-names and personal names in Bede's writings in which the g, where it occurs in the modern form of the name, is soft:

H. E. i.	7.	Legionum urbs, Caerleon. (Gildas §§ 10, 11).
ii.	14.	Adgefrin, Yeverin in Glendale.
iii.	8.	in Brige, Faremoûtier-en-Brie.
		Monasterii Brigensis Abbatissa.
		in Andilegum, Andeley sur Seine.
iv.	4.	Magéo, Muigéo (lingua Scottorum) Mayo.
iv.	19.	regio Elge, Isle of Ely.
iv.	29.	Lugubalia, Carlisle.
v.	2.	gae (verbum adfirmandi et consentiendi), yea.
v.	8.	fluminis Genladae, river Yenlade or Inlade.

[1] H. E. x. 10 [2] S. Aldelmi Opera, Ed: Giles, 117.

It is to be noticed also that in iv. 19 the old English paraphrase translates "epifanie" by "twelftan dege ofer Geochol," "twelfth day after Yule." But this paraphrase was made in King Alfred's time, more than a century and a half after Bede composed his history.

On the Continent the g frequently disappeared in place-names derived from Augustus. A Celtic *dun* or hill-fortress became Augustodunum, and is now Autun. A Teutonic burgh or fortress was made a colony by the Emperor Augustus, B.C. 13, under the title of Augusta Vindelicorum, and is now Augsburg in Bavaria. Other instances are Aosta, Augusta Prætoria; Auch, Augusta Ausciorum; Astorga, Augusta Asturiæ; an instance where the g survives is Augst, Augusta Rauracorum in Canton Basel. From the same derivation comes Aoust in the Department of the Drôme.[1] But though these instances suggest a derivation for the first syllable of Austin, they do not help us at all with regard to the termination; that clearly points rather to *Augustinus* than to *Augustus* as its origin.

Moreover, these names do not answer the question whether in England in 731 the g in the phrase *Augustinaes Ac* might have been softened. It is certain that in the sculptures on the beautiful shaft of the cross which still stands in Bewcastle Churchyard, above the head of the Saviour on the west side are the words "Gessus Kristtus," and again on the north side "Gessus," *Jesus*. This cross was set up in 670, about three years before Bede's birth, in his fatherland, Northumbria; and it is clear that in this case, at any rate, the g was soft. But it is only a single instance, and it is well that the point should be thoroughly considered. One difficulty which at once arises is this, that there is no old English literature as early as 731; the glossaries are the earliest, then comes the Vespasian Psalter, an old English interlinear translation of a Latin Psalter made in the first half of the ninth century, and then the old English charters, of which there are none earlier than the ninth century.

[1] Taylor, *Words and Places*, 214; *Names and Their Histories*, 56.

There are signs that the position of g was not quite secure even in the Latin text of Bede. For instance, the scribe of Cotton MS. *Tiberius*, C. ii., in describing the position of Wynfrid's Monastery at Chertsey writes Suthriena where the Moore MS. gives Sudergeona, and he writes Ecfrid for Ecgfrid, King of the Northumbrians, in iv. 5, 12, 26, v. 19, against seventeen instances where he gives the full form; Ecberht for Ecgberct, King of Kent, in iii. 29, against five instances of the full form; and Ecberht for Ecgberct "Sanctus" in iii. 27 thrice, and iv. 3, against seven instances of the full form, which is always given in each case in the Moore MS. The latter MS. was written on the Continent about 737, while the Cottonian MS. *Tiberius* C. ii. is a Durham book, possibly brought originally from Lindisfarne, written in the eighth century.[1] The omission of the g in the Northumbrian book has its significance with regard to the point under consideration. It is also worth noting that on the dedication stone of Jarrow Church, which was set up in 685 when Bede was about twelve years old, and which he might have seen every day when he attended at the Canonical hours in the Minster, the name of the Northumbrian king is written Ecfrid. It would certainly seem that the presence or absence of the g was immaterial so far as the pronunciation of the name was concerned.

In Hauxwell Churchyard near Richmond there still remains the shaft of a cross about four feet high, which, judging from the beautiful interlacing patterns cut upon it, must date from very early Anglo-Saxon times. Just below the springing of the cross-head is a panel on the face of the cross on which an inscription could until recently be read: "Hæc est crux Sci Gacobi." The initial G of the name of the saint is still clear, and there is no doubt that the name intended is Jacobi, probably the Deacon James who had remained in Northumbria when Paulinus fled to Kent in 633, who was present at the conference of Whitby in 664, and who was still living in the lifetime of Bede. Here then the g

[1] Plummer, *Bede*, i., lxxxix xciii.

before a vowel was obviously soft, as it must have been also in the sacred name on the Bewcastle cross. Unfortunately there is nothing to shew the exact date of the cross at Hauxwell.[1]

We pass next to the glossaries described in Mr. Sweet's *Oldest English Texts*, published by the Early English Text Society. These are four in number: *Corpus*, written early in the eighth century; *Epinal*, written at least a generation earlier than *Corpus*; *Erfurt*, written at the end of the ninth century in language evidently as old as *Epinal*; and *Leiden*, written in the ninth century. The language of all, therefore, except that of the *Leiden* glossary, would be as old as the lifetime of Bede. The following instances will show that g might very readily be dropped in pronunciation:

EE. is used to denote the text given by the agreement of the *Epinal* and *Erfurt* glossaries.

Aul(a)ea: stregl, C; strel, EE.

Bagula: bridels, C; bridils—brigdils,[2] EE.

Byssum: tuin, C;[3] tuum—tuigin, EE.

Eumenides: haetisse, C; filiæ noctis: hegitisse, L.

Falcis: wudubil, sithe, riftras, C.

Falces—falcis (falx, falcis) uudubil, sigdi,[4] riftr—uuidubil, sigdi, riftr, EE.

Limax: snegl, C; snel—snegl, EE.

Oppilavit, clausit: gegiscte, C; gigiscdae—gescdae, EE.

This is not intended to be taken as an exhaustive list, but merely as shewing that in vocabularies used during the lifetime of Bede g was frequently softened.

These are examples of the various kinds of evidence that can be brought forward from the lifetime of Bede himself; but there can be no doubt at all that in later times before a full vowel g had the sound of the consonantal y. Thus iu,

[1] An excellent account, with figures, of the crosses at Bewcastle and Hauxwell, and the dedication stone at Jarrow, will be found in a little book by the Bishop of Bristol, *The Conversion of the Heptarchy*, published by the Society for Promoting Christian Knowledge.

[2] g from s. Brigdils and tuigin are archaic forms.—O.E.T. 4.

[3] Abnormal spelling. [4] si: g.

though rare, may be written for geo, long ago; iung for geong, young; and iugoth for geoguth, youth. Or the g may be omitted altogether, as lufige, *I love*, may be written lufie, or modig may pass into modi, or frinan, ren, then, may appear for frignan, regn, thegen, the vowel in the shortened form being no doubt lengthened.

Instances of this softened g appear in the Vespasian Psalter. The Latin text of the psalter is attached to an original Charter of Æthelbald, King of the Mercians, dated 736, and is probably older than the Charter. "The interlinear English gloss, extending also to the hymns at the end of the Psalms, is mainly in a very fine hand which cannot well be earlier or later than the first half of the ninth century, and this date is fully supported by the language, which shows a remarkably consistent type, uniformly but not excessively archaic."[1] It would be easy to multiply instances, but two will be sufficient:

Ps. lxvii. 26.	in medio juvenum tympanistriarum
	in midle iungra plægiendra tympanan
,, 28.	ibi Benjamin adulescentior
	thær se gungesta
Ps. xlii. 4.	ad Deum qui lætificat juventutem meam
	to Gode se geblissath juguthe mine
Ps. cxxviii. 1.	Sæpe expugnaverunt me a juventute mea
	Oft oferfuhtun mec from guguthe minre

Here g and j are interchanged, even in one instance in a space of three verses. It is, however, quite unnecessary to dwell on this point further; it will be sufficient to give the opinion of the present Professor of Anglo-Saxon at Oxford, and the latest Editor of Bede's works.

In an original Charter of about 848, preserved at Christ Church, Canterbury,[2] by which King Berchtwulf granted nine hides of land to his thegn Forthred, the form *higid* is twice used for híd. On this unusual form Professor Earle comments thus:—"This document is remarkable for the

[1] The *Oldest English Texts*, 184.

[2] K. C. D. ccxliii.; C. S. 452.

form *higid*, which with a collateral *hiwisc*, tends to identify hîd with the idea on which are based such terms as familiatus, casatus, for quantities of land. *See* Kemble, *Saxons in England*, vol. i., c. 4, p. 91 sq. It is, however, doubtful whether a single instance of the form higid will bear so great a weight as is thus put upon it. Especially as the letter g plays in Anglo-Saxon a semi-vocalic part, as a mere consonantal film to keep two vowels distinct, so that the g might have just the same value as a modern diæresis; thus higid = hiid." [1]

The two manuscripts which afford the only authorities for the text of the *Anonymous History of the Abbots of Jarrow and Wearmouth* differ in one place in § 11 with regard to the omission or insertion of the g in figeret. On this Mr. Plummer remarks: "The reading of H. 'fieret,' illustrates the 'Verhauchung,' or reduction to a mere breath of a g between vowels." And with regard to the name of Bishop Agilberctus, in H. E. iii. 7, he writes thus: "Ægelbert or Ethelbert: the difference in writing is due to the fact that both th and g between vowels became a mere breath, and ultimately disappeared, leaving us the name Albert. (Cf. Aelbert, § 29 of the *Anonymous History of the Abbots*.)." [2]

It is obvious that precisely in the same way in which Ægelbert would be contracted to Aelbert and Albert, Augustinus or Agustinus—for the latter seems to have been the more usual form in English—would be contracted to Austinus and Austin in popular speech. The only question which arises is, whether this contraction can have taken place as early as the time of Bede; and because there is absolutely no direct evidence with regard to the way in which the name was pronounced at that time, affirmation and negation would be equally incapable both of proof and disproof.

Since, however, in the inscription on the Bewcastle Cross, which is the oldest piece of English we possess, the G in the Saviour's name was evidently soft, that it was obviously equivalent to J in the inscription on the Hauxwell

[1] *Land Charters and Saxonic Documents*, 123.

[2] Plummer, *Bede*, ii. 373, 145.

Cross, that it was omitted from the name of Ec(g)frid on the Dedication stone of Bede's own Minster, and several times in that and similar names in the early Northumbrian copy of Bede's own History, that glossaries of Bede's own date in several instances treat its insertion or omission as a matter of no importance, that g and j are interchanged in the English of the Vespasian Psalter, that in the later language a g between two vowels would almost certainly have been silent,—we should conclude with very considerable confidence that though, when writing his history or teaching in the Minster at Jarrow, Bede would have said that Augustine met the Bishops "in loco qui Robur Augustini appellatur," in a popular sermon or familiar talk he would have said: "on thære stowe the mon nemneth Austinaes Ac." And this form is not at all unlike that "æt Austin" which King Æthelred used in his grant of Aust to Bishop Oftfor about the time when St. John of Beverley ordained Bede a Deacon.

It is necessary also to consider Bede's use of the word *confinium*. Besides this passage it occurs, so far as I have been able to find, only in two places in the History: i. 25 and v. 23; and in each case in the phrase "ad confinium usque Humbræ fluminis"; Humber being the boundary between the peoples to the north and south of it, as Avon was between the Huiccians and West Saxons near Aust, or as Thames divided them near Kempsford. But it is evident that *confinium*, in each case meaning a river, "in confinio," could not possibly mean that Augustine's Oak was actually on the boundary or in the river, but that it lay near to the boundary. Of the two places mentioned at Over Park, the Down Ampney Oak stood about half a mile from the present shire boundary, and about one mile and a quarter from Thames, the probable ancient boundary; Aust is about seven miles from Avonmouth. It is a matter of nicely calculated less or more; and to a monk of Canterbury or Jarrow, half a mile, a mile and a quarter, and seven miles might be equally well described as *in confinio* with regard to a boundary line one hundred and thirty or three hundred miles from his

home. And if the matter of convenience of access is to be brought into question, Aust was certainly a more accessible spot both for the West Welsh south of Severn and the North Welsh beyond that river than a point near Cricklade.

To sum up. There are only two indications of the locality of the place of meeting: one, that it lay near the boundary between the Huiccians and West Saxons—that is to say, near the present boundary between Gloucestershire on the north and Wilts and Somerset on the south; the other, that in Bede's time the place of meeting was still known as Augustinaes Ac. The place-names of the district shew that the oak was a very abundant tree, so much so that the existence of any one well-known oak is worthless as a mark of locality. There is, however, within a short distance of the boundary a place which was known in Bede's lifetime as Austin and which is now known as Aust. We have seen also that there is abundant evidence for thinking that already in Bede's lifetime the g in Augustinaes Ac would have been softened, so that it would have been pronounced Austinaes Ac. And this being so, Aust can certainly put forth a better claim than any other single spot to be the place where St. Augustine first met the British Bishops.

THE HOSPITAL OF ST. JOHN, BRISTOL.

By JOHN LATIMER.

SOME ancient deeds which I recently discovered in the archives of the Corporation of Bristol throw a few rays of light on the early history of the Hospital of St. John the Baptist, formerly situated in what was known as Redcliff Pit, near the Church of St. Mary. The date of the foundation of this institution cannot be precisely fixed. There is, indeed, a very positive statement on the subject in the last edition of Dugdale's Monasticon, but its inaccuracy is obviously due to a want of local knowledge on the part of the editors. Under the heading, "St. John's Hospital at Bristol," the writers say:—"The chief which we know of this Hospital is from the founder's charter," and they proceed to reproduce a charter of King John, executed when he was in possession of the Honour of Gloucester and was known as Earl of Moretain. But the text of this charter distinctly grants to the lepers of Bristol a piece of ground "extra portum Lacford," also described as on the road to Bath, clearly showing that the land was part of John's Gloucestershire demesne. His foundation, in fact, was the Hospital of St. Lawrence, outside Lawford's Gate, situated on what is now known as Lawrence Hill, and apparently suppressed by Edward IV., who granted the estate to the Dean and Canons of Westbury-on-Trym. According to the *Little Red Book* of the Corporation of Bristol, the founder of the Redcliff Hospital was one John Farceyn, *alias* Farcey. But the minute to that effect appears near the end of that remarkable volume, upon a page of which the first two entries are dated 1481 and 1475, so that the statement seems to be merely the record of a tradition.

That St. John's Hospital was in existence in the reign of

King John is, however, capable of proof. In the valuable collection of local deeds belonging to Mr. Jerdone Braikenridge, of Bath and Clevedon, is a charter of Robert de Berkeley, lord of the great manor of which Redcliff was a member, granting to the Church of St. Mary there a well, called Rugewell, with a proviso that the Hospital of St. John the Baptist should have a pipe, of the dimensions of a medium sized thumb, for carrying part of the water to the hospital. One of the witnesses to this charter was John, Abbot of St. Augustine's, who was elected in 1186, and died in the last year of John's reign.

Four of the deeds in the Council House were executed whilst the Hospital was still an infant institution, and indicate that it was founded, like that of St. Lawrence, for the reception of lepers, inasmuch as its beneficent purposes were administered by a mixed community of men and women. During the mayoralty of James la Warre, who was elected in 1235, Elena, widow of William Russell, granted to the Hospital of St. John of Redcliff, and to the brothers and sisters thereof, all her land and appurtenances in "Marisco Abane"—the Marsh of Bristol—lying between lands which belonged to her late husband, and those which were Robert de Peisa's, the grantees being required to render annually eight shillings to John de Sargull and his heirs. By another deed, witnessed by the same Mayor, Mrs. Russell, who is here described as widow of William Russell and of Henry de London, gave to the Hospital, and its brothers and sisters, a house in the Marsh of Avon, near Balcestrete (Baldwin Street), in consideration of services to be rendered for the souls of her late husbands, her children, and others, with a further grant of land near the stone house of Henry de London, the grantees to render therefor six shillings yearly to William de Belle Monte, who was at that time one of the Prepositors of Bristol. Another deed of the same character does not contain the name of the Mayor, but several of the witnesses, amongst whom are James la Warre and William de Bello Monte, were also witnesses to Mrs. Russell's grants.

By this instrument one Adam Har...ng, for the good of the souls of his ancestors and successors, granted to the Hospital, its brothers and sisters, a rent of five shillings, payable to grantor by Henry Langbord, on their rendering a pound of cummin yearly. A fourth deed, which from the names of the witnesses appears to be of a few years later date, is executed by Jordan le Veike (?), who grants to the Hospital and its staff all the land that his father had in the Marsh of Bristol, rendering a pound of cummin yearly.

Adhering to chronological order, the next document relating to the Hospital is in the archives of the Dean and Chapter of Wells. Like the above it has escaped the notice of local historians, though it is of considerable interest, inasmuch as it affords the only information we possess in reference to the erection of the Chapel of the Holy Spirit, which stood in the churchyard of St. Mary Redcliff until its demolition in 1766. The deed now referred to, dated in 1254, is an undertaking by the master and brethren of the Hospital —no reference being made to the sisterhood. It sets off by stating that forasmuch as the late Henry Tessum, Precentor of Wells, and Prebendary of Bedminster in Salisbury Cathedral, had built at his own expense the Chapel of the Holy Spirit in the cemetery of St. Mary Redcliff, and had likewise given rents to the Hospital, the master and brethren now undertook to support the chapel, and to provide a secular chaplain, or one of themselves, to serve therein daily, guaranteeing that the Rector of Bedminster (the patron of St. Mary Redcliff) should suffer no loss thereby. The Precentor's munificence was presumably due to the fact that sufferers from leprosy, and those succouring them, were forbidden to attend the daily services in parish churches. From another document in Wells Cathedral, it appears that the Dean and Chapter, in 1306, confirmed a grant just made by their Bishop, Walter de Haselshaw, of a portion of the rectory of Backwell, Somerset, to the master and brethren of the Hospital, on account of their extreme poverty and starving condition. It may be observed that the mastership

of the Hospital was then in the gift of the Bishops of Wells, though at a later date they allowed the Corporation of Bristol to present a candidate on each vacancy.

It might be supposed from the above instruments that the sisterhood of the Hospital had disappeared when they were executed. But there is another deed in the Council House, dated on Monday before the feast of St. Margaret the Virgin, 16th Edward II. (19 July, 1322), by which Thomas, Master of the Hospital, with the consent of the brethren "and sisters," granted to William de Wynton, of Bristol, certain lands in the Marsh, reserving a fee farm rent of six shillings. The actual purchase money does not appear on the document, but its purport seems to indicate that the institution was still in financial difficulties. Probably from the same cause, the Hospital authorities, in 1383, relieved themselves of the charge of maintaining the Chapel of the Holy Spirit, by granting the edifice, for a term of fifty years, to the proctors of the Fraternity of the Holy Ghost (Barrett's *History*, p. 596). A little more ready money was raised in 1403, when, by a Council House deed, dated Monday after Candlemas, 4th Henry IV., John Seympoule, Master, granted to John Forde, tucker, a lease for sixty years of a rent of six shillings, issuing out of a tenement in Redcliff.

Matters apparently went from bad to worse, for Mr. Barrett, without giving his authority, states (p. 595) that in 1442 the community was reduced to the Master and a single brother, not 22 years of age, whereupon it ceased to be "collegiate." Except that the names of two Masters have been preserved, the history of the house for the following ninety years is a blank; but the place turns up again in the State Papers for 1534 in a manner characteristic of the age. Queen Anne Boleyn, during her brief period of favour, followed the example of the courtiers around her, who habitually sold what influence they possessed to those willing to buy it; and on January 20th, in the above year, she addressed what was practically a mandate to the Mayor and Corporation of Bristol, requiring them to confer the next

presentation of the Mastership of St. John's Hospital upon two members of her household and a Bristol grocer named David Hutton, asserting that they would appoint a fitting person on the office becoming vacant. The Corporation obeyed the command with the utmost alacrity, their grant of the presentation to the persons named being executed only four days later, and the verbose document was copied into the *Little Red Book* (vol. ii., p. 241). Whether Mr. Hutton, who may be safely regarded as the prompter of this transaction, got his money's worth for his money, is a matter of conjecture. Richard Bromefield, presumably the person presented, appears to have been appointed in 1542, but he was forced to surrender the house and its estates into the King's hands in March, 1544. The Corporation immediately made strenuous exertions to secure the royal plunder. From books still in the Council House it appears that a deputation was sent up to Court, whilst the two members of Parliament for the city were appealed to for their earnest assistance. Some of the expenses incurred during the solicitations appear in the corporate audit books, and the entries, hitherto unpublished, afford striking evidence as to the low cost of travelling in that age. The Chamberlain writes as follows:—

> Paid my charges to London at Candlemas term, for 15 days, horse meat and man's meat for me and my man that rode with me, 38s. 8d. [being less than 1s. 3½d. per day for each man and horse].
>
> Paid for the hire of two horses that journey, 11s. [or 4½d. per horse per day].
>
> Paid for a man's labour to ride with me, 5s. [4d. per day].
>
> Paid for a breakfast to Mr. Recorder and Mr. Elyot (the city M.P.'s) because they took pains before the Court of Augmentations, 9d. [Two breakfasts, doubtless the best the London innkeeper could supply, for 4½d. each!]

The corporate efforts were fruitless. In April, 1544, Henry VIII. granted the Hospital and all its belongings to his physician, Dr. George Owen, reserving a fee farm rent of £2 7s. 1¼d. The Hospital buildings seem to have been entirely demolished soon afterwards, and about 120 years ago,

when Mr. Barrett made enquiries respecting them, the inhabitants of Redcliff Pit were unable even to identify their precise site.

It was the common practice of Henry VIII., as it was afterwards of Queen Elizabeth, to reward his ministers and other officials, not by the payment of a regular salary, but by bestowing upon them some fragments of the property that fell into the royal hands. Dr. Owen is unlikely to have received a single fee from his most religious sovereign; and when he obtained the gift of St. John's Hospital he merely followed the example of all the courtiers of his generation. Nevertheless he seems to have had some compunction in appropriating the profits of a charitable and religious foundation; for after holding the estate for nine years, he granted to the Corporation of Bristol in May, 1553, on a lease for 99 years, a quantity of property in Redcliff parish and other parts of the city, and 130 acres of land at Chew Magna, formerly belonging to the Hospital; in consideration of which grant he required the civic body to place ten more poor men in Foster's almshouse, and to pay to each such inmate sevenpence weekly. All the estate was then probably held at nominal rents under long leases granted before the suppression, a system practically universal amongst the religious houses, and Dr. Owen seems to have calculated that the yearly receipts would be absorbed by the King's fee farm and his charitable benefaction. The arrangement accordingly came into operation, and continued for sixty years. But in 1613, when many leases must have expired, and large fines been received for renewals, the Corporation came to an agreement with another George Owen, the Doctor's representative, by which, in consideration of £200, that gentleman granted to the Corporation the entire estate in fee simple. It is not a little singular that although the Corporation was then in great financial embarrassment and was borrowing small sums in various quarters to meet pressing liabilities, yet no payment to Mr. Owen is to be found in the audit books. It is still more remarkable that the legal official of the civic body, who drew up Owen's

conveyance, through most convenient absent-mindedness, omitted to mention in the deed that the Hospital lands were granted by Dr. Owen in trust for a charitable purpose. In consequence, the Corporation, after buying up the Crown rent, afterwards dealt with the estate as unconditionally their own property, and appropriated the profits for upwards of 220 years. On the appointment of Charity Trustees, in 1836, this claim was resisted, and after a lengthy litigation the estate was surrendered, together with the Crown rent. Only a few words remain to be added to show the surprising development of the rentals. As has been already stated, Dr. Owen estimated the receipts at under £18 a year, and so late as 1836 they did not exceed about £150. Of late years the gross rentals have reached upwards of £1,500. One-sixth of the net profits is devoted to the maintenance of Foster's almshouse. The remainder is transferred to the Governors of the Grammar School.

The Society of Friends possess in Redcliff Pit a small cemetery, the ground required for that purpose having been conveyed to them by a deed dated March 22nd, 1665–6. It is clear that this spot must have been originally adjacent to, if it did not form part of, the Hospital premises. A Hermitage was founded there in 1346, by Thomas, Lord Berkeley, and the hermit's cell, one of the few remaining in England, is still to be seen in the cemetery. It is cut out of the solid rock, and is approached under what may possibly have been the original archway. The earliest tombstone in the cemetery commemorates the death of Edward Harford in 1705.

Notices of Publications.

THE LITTLE RED BOOK OF BRISTOL. Published under the authority of the Council of the City and County of Bristol, and edited by FRANCIS B. BICKLEY. Two volumes. Bristol: W. C. HEMMONS. London: SOTHERAN & CO. 1900.

The original of this publication is thus described by the editor: "*The Little Red Book of Bristol* is a magnificent specimen of a class of records, many of which, through carelessness and want of appreciation, have fallen into decay and are lost. It is in a perfect state of preservation, the paper firm to the touch, the script clear to the eye, and, unforeseen accident alone excepted, there is no reason why its future custodian may not find the volume in as perfect a condition five hundred years hence, as it was left by its originator upwards of five hundred years ago." Nevertheless, it is well that it has been published in two handsome volumes at the cost of the Corporation of the city, under the editorship of a grandson of a former alderman of the borough, and issued from the press of a Bristol printer. It is in every respect a Bristol book, and is highly creditable to all who were concerned in its production.

The original is a paper book of foreign manufacture, not much older than its first entry in 1344, when the Recorder, William de Colford, caused all the ordinances, customs, and liberties of the town to be recorded and entered. His example was followed by his successors until the time of Edward IV., and there are a few additional leaves, the latest entry on which bears the date 1574. The contents of the book may be divided into four classes; 1. Matters specially affecting the town. 2. Ordinances of the trade guilds. 3. Charters belonging to other towns. 4. Miscellaneous documents. Documents which had already appeared in print are not generally reprinted, but a reference is given showing where they may be found; documents of no local interest are mentioned, or an extract given; while the ordinances of the trade guilds and other documents of local interest are printed in full, and in many cases translations are given. It is disappointing to find that, except for the enrolment of an order respecting the freedom of the men of Bayonne from petty custom (1402), there is no reference to the foreign trade of the city. Mr. Bickley supposes that the foreign trade was regulated by a Guild of Merchants whose

documents were removed from the city in the seventeenth century, and have not been recovered. Very few Royal Charters to the town are entered, no doubt because the originals were readily accessible. It is unfortunate that Mr. Bickley follows Seyer's mistake in dating the earliest Charter granted by Henry II. in 1164; for since the name of Roger, Earl of Hereford, appears among those of the witnesses, and he became a monk of S. Peter's at Gloucester, and died between Michaelmas and the end of 1155, the Charter must have been granted before that time. It was no doubt granted at Sarum when King Henry was on his way to Winchester, where he held a Council at Michaelmas, 1155.[1] It was natural that the King should take an early opportunity of granting a benefit to the borough which had been faithful to his mother's cause, and where part of his youth had been spent. Mr. Bickley gives an illustration of what was probably the first entry in the book—a record of the way in which, during 1344, the Common Council of Bristol came into existence. We are told that—"Although for the maintenance of the above [laws and customs] in the said town the Mayor is appointed governor, nevertheless at the request of Stephen le Spicer, elected Mayor in the above said year, for the better governing his estate and ruling the town, forty-eight of the more influential and discreet men of the aforesaid town were elected with the common assent as advisers and assessors to him, and for aiding and expediting the business of the town." Then follow the names of the forty-eight, who made it their first business on S. Katherine's Day, November 25th, to go over the old customs and ordinances and to add new ones, for the better regulation of the town. This is a most interesting piece of independent local self-government. The Mayor is governor of the town, but he wills to call his fellow-citizens into Council to assist him in the right rule of the town that was theirs as well as his. The Charter of Edward III. (1373) gave power to the Mayor and Sheriff, with the consent of the commonalty, to choose forty men who should have power to make by-laws and to raise taxes, thus giving statutory power to the body which the Mayor and burgesses had by their own free action called into being. The Common Council was the creation of the town itself; the King recognised the action, and gave necessary authority to the body which had been called into being by the will of the people. An interesting document s given on page 92, showing the relation between the authorities of Church and State. Prince John, when Lord of Bristol, had granted a Charter, *c.* 1188, by which it was forbidden that any burgess should be cited to appear outside the town. In confirmation of which article, Robert, Archbishop of Canterbury, gave to the commonalty his letters signed with his seal. This must have been Robert Kilwardby, 1273—1279, and it seems strange that the commonalty had not obtained

[1] *Proceedings of the Clifton Antiquarian Society*, 1894-5, p. 155.

ecclesiastical recognition of the liberty at an earlier period. For it is clear that Prince John's Charter did not by itself control the action of the Chuch Courts, and that its article needed to be confirmed by the authority of the Church. However, when in 1317 Richard Bryan caused Simon Pipparesclyf to be cited before the Ordinary of the Bishop of Worcester at Gloucester, he came before the Mayor and other worthy men at the Guildhall and acknowledged his fault, and it was decided by the commonalty, with the consent of Richard himself, that if he offended again in the same way he should be for ever put out of the liberty of the town. The Bishop of Worcester had his official in Bristol in the person of the Dean of Christianity of Bristol,[1] and no doubt the Dean of Redcliff exercised similar jurisdiction over clerks south of Avon on behalf of the Bishop of Bath and Wells, so that offenders in causes ecclesiastical would have found Courts ready for them within the borough. It has been doubted whether Mr. Bickley was correct in translating *Clericus Tundere*, or *Tundredi*, "Clerk of the Hundred." The former word occurs in a French document of the time of Edward III.. the latter in a Latin document of 1442. Mr. Bickley suggests that the form is simply a sufficiently common colloquialism, "t'hundred" for "the hundred." It may, however, be a French fashion for writing "hundred," as the foreign scribes of *Domesday Book* wrote Tedestrop, Telma, and Tumbeli, for Addlestrop, Elm, and Ubley.

A large part of the book is taken up with the ordinances of the Trade Guilds. When the present writer took the "Oath of a freeman," as being the son of a freeman born in the ancient city, he expressed his assent to the following sufficiently mysterious propositions, among others:—"You shall not colour the goods of any foreigner or stranger, or know any foreigner or stranger to buy and sell with another foreigner within the precincts of this city." "You shall not implead or sue any burgess of this city in any court out of the city for any matter whereof you may have sufficient remedy within this city," "You shall not take any apprentice that is bond of blood, and none other except he be born under the Queen's obeysance." "You shall not take or wear the livery or cloathing of any lord, gentleman, or other person, but only your own, or your crafts, or of Master Mayor, or of the Lord High Steward of this city, or of the Sheriffs of the same, so long as you shall be dwelling within this city." Strange as all this sounds now, it would have been familiar enough to William of Colford five centuries and a half ago. To colour the goods of a stranger was to pretend they were your own, to the manifest detriment of your fellow burgesses. In 1462 the officers of the craft of weavers complained that some of their craft "daily receive and put in occupation strangers, aliens, and other not born under the King's

[1] Vol xxii., 161, 178.

obeysance . . . and bring in to this town of Bristol people of divers countries not born under the King's obeysance, but rebellious, which have been sold to them as it were heathen people." So that native craftsmen could not earn their living. Just as Our Sovereign Lord King Edward will not allow his subjects to wear foreign decorations without his permission, so Master Mayor would not suffer the burgesses of his borough to wear any livery but that of the chief officers of the city or of their crafts. It is evident, however, that by the time of Edward IV. the guild—or, as we should call it, Trades' Union system—was becoming irksome; only then it was the workmen and not the masters who were trying to shake it off. The processions especially were becoming obnoxious. In this matter it may be, however, that Lollardry was possibly a disturbing element: a procession on the festival of S. Peter or the Patron Saint of the guild may not have been attractive to a man of Wycliffite proclivities, especially as it meant a contribution to the cost of the candle and the expenses of the service. At the end of the book are the ordinances o different Chantries, inserted because the Mayor had in many cases an official connection with the foundations. Finally, the book closes with a short glossary and an excellent index. There are also some good illustrations, such as the Charter of Prince John, that by which Edward III. made Bristol a county, and another Charter of Edward III. empowering the Mayor and commonalty to have a place of confinement for evil-doers, and to punish fraudulent bakers by drawing them on sledges through the streets. The initial E of the last document represents malefactors being put in prison, and underneath a baker being drawn on a sledge with the unjust scales above him. There are also representations of the cover of *The Little Red Book* and the Chapel of the Assumption of the Blessed Virgin on Bristol Bridge. The book is, of course, one rather of materials for history than history itself: but it will be invaluable to all future historians of our city, and for those who care for the inner life of a mediæval borough it will prove to be really a thoroughly interesting work.

THE SOURCES AND LITERATURE OF ENGLISH HISTORY from the earliest times to about 1485. By CHARLES GROSS, Ph.D., Harvard University. London: LONGMANS, GREEN AND CO. 1900.

This book is the outcome of an annual course of lectures on the "Sources and Literature of English History," delivered at Harvard University from 1890 to 1899. So the author tells us, and the statement is a proof of the very great amount of thought and reading and care that must have been bestowed upon it. Hitherto the subjects treated of have been a mighty maze; henceforth they will at any rate be no longer without

a plan. The work has its limitations—it takes no account of Scotland because it was a foreign country during the period under review, and it deals only with printed matter; but within these limits there are few subjects indeed with regard to which it will not afford trustworthy help. The first part of the book is introductory, dealing with general treatises, dictionaries, Government publications, the *Transactions* of learned and district societies and such-like material. Here we find our *Transactions* starred as being one of 13 out of 76 publications of local societies which are considered to be peculiarly important for the study of English history. All honour to Sir John Maclean, who placed us in this position; but unless the great body of our members take more interest in our *Transactions* than they have been doing of late years, a second edition of Dr. Gross's work may very probably find us without our decoration. We have a position to hold, and it is worth holding; but it is to be feared we shall not hold it unless we take more trouble than we have been taking lately. It is worth noticing also that the three extra works published by our Society, *The Berkeley Manuscripts*, *The Bristol Wills*, and the *Analysis of the Gloucestershire Domesday*, are all noticed, two of them as valuable; Sir John Maclean did not waste the funds of the Society. The second part of the work deals with the authorities for the history of Roman Britain. Here we find mention of Dr. Beddoe's *Races of Britain;* but Gloucestershire hardly takes so good a position as it should do, considering the abundance and interest of the Roman Remains which are found in the Shire. The third part of the book deals with the period between 577 and 1066, and both in this period and in the one extending from 1066 to 1485 we find several papers contained in our *Transactions* mentioned as worthy of notice. It must not be supposed, however, that the book is a mere list of publications. Under the head of "Local History," for Gloucestershire fourteen books or articles are mentioned; under "Local History and Local Annals," for Bristol there are ten entries, and for Gloucester three. There are most valuable collections of authorities arranged under subjects, as well as with regard to localities. For instance, under the heading—"The Vill and the Manor," are seven most valuable references; under "The Church," in the Anglo-Saxon period references are given to no fewer than 73 works divided under various heads—General, the Celtic Church, Monasticism, and Biography. Prefixed to each section of the work is a short summary of the principal authorities, and of the main lines of investigation of the subject. These summaries are most valuable as guides and helps to students who are desirous of working out the subjects mentioned. Probably all readers will not agree with everything that is said; but there are more ways than one of regarding almost everything in history, and divergence of opinion is good for the enlargement of the mind. In the later periods of the history the account of the sources is

separated from the account of the work of modern writers, an arrangement which is certainly justified by the results. Finally, the work is very far indeed from being a mere list of books, though it contains 3,234 references to various works; a very large number of the references are accompanied by short notes estimating the value of the work referred to and explaining its contents. It may be safely said that there are very few amongst us who might not learn a great deal from the references given, and who in beginning a fresh line of research during the period under review would not be grateful for the guidance afforded. There is a most excellent index. This is really a most valuable work of research and record of historical accuracy, and is worthy of that great New England University from which it comes.

LEADING DOCUMENTS OF ENGLISH HISTORY. By GUY CARLETON LEE, Ph.D. of John Hopkins University. London: GEORGE BELL AND SONS. 1900.

The last book is rather one for the student; this for the general reader, and probably it is the best book of the kind yet published for the use of a plain man who desires to know something of the actual sources and documents on which the story of his country's growth depends. The first piece is a translation of a passage of Herodotus; the last, numbered 235, is the Convention of London with the Boers in 1884. The plan of the book is to tell the history either by contemporary documents, or in the words of a writer as nearly as possible contemporary. All the documents are translated into English. Thus Cæsar, Tacitus and Gildas take us through the period of the Roman occupation; Bede tells the story of the settlement and conversion of the English and Saxon tribes; while quotations from the Chronicles and Laws carry on the tale to the Battle of Hastings. The letter of Cnut to his people is given, and is a very valuable instance of the relation of a good King towards his people at that time. All the main documents relating to Mediæval History and to the Reformation are given, as well as those belonging to the Rebellion and the Accession of William III. For the period after the Revolution the documents consist to a great extent of speeches or accounts given by eye-witnesses of notable events. Various incidents in the Rebellions of 1716 and 1745 are described in this way, as are also the incidents of the passing of the Reform Bill of 1831, and the Act abolishing the Corn Laws. There is a Bibliographical Catalogue at the beginning of the book, and an Index of Subjects and a Bibliographical Index at the end. It is worth noticing that both this book and the last were written in America.

COUNTY AND TOWN IN ENGLAND. By GRANT ALLEN. London: GRANT RICHARDS. 1901.

This book consists of a series of articles that appeared in the *Pall Mall Gazette* about twenty years ago, which have been reprinted since the author's death under the care of the Regius Professor of Modern History at Oxford, who has added a prefatory note. The book consists of two parts—"Shires and Counties," and "Cities, Towns, and Boroughs"; and in the earlier part of it one district after another is passed in review till almost the whole of England has been covered. The style of the work is bright and pleasant, and it forms a very readable book, bringing all the characteristics of each district before the mind of the reader. The rocks, the soil, the trees, the hills and plains and valleys and rivers, the roads and villages and towns of each county or group of counties, all play their part in telling the story of the way in which life of the district grew into its present form. The Spencerian turn of Mr. Allen's mind would have helped him in this matter, and certainly the tale of the evolution of the life of the various parts of the country has seldom been more effectively told. The account of Gloucestershire, for instance, begins with a mention of the Oolite escarpment, with the Forest Hills divided from it by the fertile vale of Gloucester; then, as a fertile district will be thickly inhabited from the beginning, there is mention of the many Roman villas in hill and vale, and of the iron workings in the Forest of Dene. After touching on the direction of the main roads, an account is given of the West Saxon and Danish invasions, and of the organisation of the district in Church and State. It is a sketch, not a completed picture, and it is not accurate in all its details. In the account of the fight at Kempsford in 800, it is said that Æthelmund, Ealdorman of the Huiccians, rode over at Kempsford; but the meaning of the entry really is, that Ealdorman Æthelmund rode over *from* the Huiccians at Kempsford. He was Ealdorman of the Huiccians, but that is not what the entry says. Henry of Huntingdon translates correctly: "Edelmund Consul recessit a Wicum." Moreover, it is not true to say that we *often* hear of the Danes "sitting" at Cirencester; we only hear of this happening once, for a year after the battle of Ethandun. Further, Ircinga-feld is not the Forest of Dene, but the district between Wye and Monnow, which, as an ecclesiastical district—the Deanery of Archenfield,—keeps its place in the Diocese of Hereford to the present day. There are other inaccuracies. In the account of Berkshire it is said that there has never been a Bishop of Berkshire. This is clearly wrong. A grant by Ealdorman Æthelstan of Uffington to Abingdon Abbey is said to have been made "testimonio Kynsii episcopi de Berrucscire," "be Wynsies biscopes gewittnysse of Bærrocscire." The charter (K.C.D. mcxxix., C.S. 687-8) is accepted by

Kemble as genuine, and must have been granted about 930. This Bishop would have had his seat at Ramsbury, near Hungerford, and would have been as really Bishop of Berkshire as the Bishop at Wells was Bishop of Somerset. These errors—and there are others like them—while they do not interfere with the interest of the story, destroy the value of the book as in any real sense a trustworthy account of the growth of the life of the districts which are dealt with. These essays are far from being on the same level with those of Mr. Freeman on somewhat similar subjects. The essays on towns are more partial in their range. Of the sixteen boroughs dealt with, only six are north of the Thames and Bristol Avon; and unless Norwich be regarded as a manufacturing city, Manchester and Salford alone represent boroughs which have arisen through the power of human industry, for Newcastle-on-Tyne owes its importance to the underground wealth of the district. So this section of the book lacks the interest of the earlier pages, and waxes somewhat monotonous. There is no striking difference between Colchester and Dorchester, Wells and Tavistock, Hastings and Brighton. It is to be regretted that Mr. Allen did not try his hand on commercial boroughs such as Bristol and Liverpool, or those which owe their greatness solely to skilled industry such as Birmingham and Sheffield, or those whose interest is both ecclesiastical and manufacturing such as Leeds and Coventry; he would probably have found a task well fitted to his hand, and one which would have repaid him better than the trouble which he must have bestowed on the old-world South-Country boroughs. The book closes with eleven chapters entitled "Annals of Churnside," which give really an excellent account of the growth and developement of the district round Lyme Regis and Axmouth. Unfortunately, the place-names are disguised in a tiresome fashion, and what might have been a model piece of local history is spoiled by unreality. Further, the description is marred by a quite uncalled-for sneer at Mr. Allen's own College. And seeing that, among others who have since made their mark, Bishop Creighton and Lord Randolph Churchill were resident at Merton at the same time with Mr. Allen, the remark that immediately before The Dissolution the monasteries "had outlived their work and had grown in course of time to be an abuse—a greater abuse than even our own Merton"—has more bitterness than point. The book is a clever and interesting collection of newspaper essays on various districts of England; but it must be used warily if anything depends on the use, for it is not accurate with regard to statements of historical fact. The editor did not think it worth while to provide an Index.

EWENNY PRIORY, MONASTERY AND FORTRESS. By Colonel J. P. TURBERVILLE. London: ELLIOT STOCK. 1901.

Ewenny Priory nestles by the side of the stream from which it derives its name, about a mile and a half from Bridgend, and the same distance from the mouth of the Ogmore river, and it is notable as being one of the best specimens of a fortified ecclesiastical building to be found in England. It is also a church of the type of Merton Chapel, Arundel, and Dunster, where the chancel and transepts belonged to a religious body and the nave to the parishioners. It is dedicated to S. Michael, very probably as occupying the site of an earlier Llanfihangel. It seems to have been built by William de Londres, who served with Robert FitzHamon in his invasion of Glamorgan, and it was given by his son, Morice de Londres, with other neighbouring churches, to the Abbey of S. Peter at Gloucester in 1141. The church is now essentially what it was when it was given, though the nave has been shortened and its north aisle has been altered, and the north transept has been destroyed. Still, with its presbytery, tower, and transepts for the monks who served there, and the nave divided by a wall 8½ feet high from the space under the tower, it is an excellent specimen in miniature of a conventual and parish church, though its total length when it was perfect did not exceed 150 feet. I know no English church which comes nearer to Sir Walter Scott's description of Holy Island than Ewenny, though exception may be taken to the epithet in the first line:—

> In Saxon strength that Abbey frowned,
> With massive arches broad and round,
> That rose alternate row and row
> On ponderous columns, short and low.
> Built ere the art was known,
> By pointed aisle and shafted stalk,
> The arcades of an alleyed walk
> To emulate in stone.

Especially is this so in the presbytery, which is covered in with stone vaulting, giving an effect which Mr. Freeman aptly called "dark, solemn, almost cavernous; it is, indeed, a shrine for men who doubtless performed their most solemn rites with fear and trembling, amid constant expectation of hostile inroads." It is still the border Church of seven centuries and a half ago. The Dissolution passed lightly over Ewenny; the prior and two monks signed a declaration of submission to the King's authority on September 11th, 1534; on February 28th, 1536, Sir Edward Carne obtained a lease of 99 years of the Priory with all its belongings; and in 1546 he bought the Priory, with all the lands and privileges belonging to it, for the sum of £727 6s. 4d. It was therefore not his interest to enter on a work of destruction, and indeed the Church was not one which would readily render itself up to a destroyer's hand. The amount of destruction

which has been wrought since is painfully apparent in the only view of the exterior of the church—that on the north side—which is usually open to visitors; here the shortening of the nave, the lowering of its roof, and the destruction of the transept, entirely alter the character of the church and destroy its beauty. It is to be hoped that the present owner now allows free access to the south-eastern side; visitors to Ewenny will not be legion, and it is hardly fair to draw attention to the church, and not to allow people to see it to perfection. The massive central tower, stout and plain with stepped battlements, is of the same character with the much later one at Leonard Stanley, and it is curious that the roof rises up very much after the fashion of the saddle-backed Cotswold roofs. The evil days of the church came about a century ago, when the condition of things is represented in a picture by Turner, now in the Cardiff Museum. Against the sides of an altar tomb "a lot of young pigs are rubbing themselves; another member of the litter is being driven through the door of the screen by a woman, while a man is shown near the south door bringing in a bucket of pig's-wash, and a woman near the west door feeding chickens." It was at this period that the north transept and aisle were destroyed, and the nave shortened. A clear account is given of the work of repair and restoration that has been carried on since, till at last on Michaelmas Day, 1896, the church was re-opened by the Bishop of Llandaff, and it seems now to be in all respects in good order. The monastery was, of course, a fortress entirely surrounded by walls and towers, which still remain except on the southern side. The book concludes with extracts from the Manor Rolls, and, of course, contains particulars of the history of the various families who have owned Ewenny since the Dissolution. The author did not think it necessary to add an Index, which would, however, have been helpful. Ewenny is most interesting, not only in itself and from its connection with Gloucester, but also as lying in a very interesting district. Anyone in search of a spot for a few days' holiday might do far worse than by going to Southerndown or Bridgend, and visiting Ewenny, Ogmore Castle, and the inscribed stones at Merthyr Mawr. It should be added that there are several good illustrations both of the interior and exterior of the church, including one of the tomb of Morice de Londres who gave the monastery to Gloucester Abbey.

In Memoriam.

THE BISHOP OF CLIFTON.

The Right Reverend William Robert Brownlow passed away on November 9th, 1901; heart disease, and complications brought about by a cold, being the cause of death. He was the son of the late Rev. William Brownlow, rector of Wilmslow, Cheshire, and was born at Wilmslow Rectory on the 4th July, 1830. He was educated at Rugby and at Trinity College, Cambridge, where he took his B.A. degree in 1852 and M.A. in 1855. He was curate of Great Wyrley, Staffordshire, in 1853, and subsequently of St. Bartholomew's, Moor Lane, E.C.; Tetbury, Gloucestershire; and St. John's, Torquay. He was received into the Roman Catholic Church by Cardinal Newman in 1863; he studied Theology at the English College in Rome, and was appointed missioner at St. Mary's Church, Torquay in 1867, and Canon of Plymouth in 1878. In 1888 he removed to Plymouth as Vicar-General to the Bishop. He was Provost of the Chapel (Plymouth) and Domestic Chaplin to his Holiness Pope Pius IX., 1893, and in the following year (1894) he was consecrated Bishop of Clifton at the Pro-Cathedral by Cardinal Vaughan, in succession to Dr. Clifford. He was co-editor, with Dr. Northcote, of the English *Roma Sotteranea*, and was the author of papers on "Christian Antiquities," "Slavery and Serfdom in Europe," &c. His work as Bishop had not been marked by any very striking features. He was a quiet, steady, conscientious worker, well beloved throughout his diocese for his deeply religious character, and his kindly, considerate, and generous nature.

Dr. Brownlow threw himself into social and philanthropic movements. He was an active supporter of the Society for the Prevention of Cruelty to Children, and gave his patronage to the local Veterans' Association, being most kindly disposed to the

old men. His position as a sound and learned antiquary was acknowledged and recognised, and he was elected a Vice-President of the Clifton Antiquarian Club, and also of our Society at the last Annual Meeting. He was a frequent attendant at the gatherings of the Archæological Societies in the district, and was always ready to impart information from the stores of his knowledge. Probably the last occasion on which he took part in Archæological work was at the visit of the Somerset Archæological Society to Athelney, within a month of his death.

HENRY GEORGE MADAN.

Mr. Madan, who was in his 64th year, was the eldest son of the late Rev. George Madan, honorary canon of Bristol and Gloucester Cathedrals, and was born at Cam, near Dursley, of which parish his father was vicar. He was educated from 1850 to 1857 at Marlborough College, from whence he obtained an open exhibition at Corpus Christi College, Oxford, in 1857. Among his contemporaries there were the late Professor Henry Nettleship, Mr. H. A. Giffard, K.C., the Rev. Dr. Bigg (now Regius Professor of Ecclesiastical History), and Mr. G. A. Simcox. who now succeeds Mr. Madan as Senior Fellow of Queen's College. He was an excellent classical scholar, and his occasional epigrams were the delight and amusement of his friends throughout his life. He obtained a second class at Classical Moderations in 1858, and a first class in Natural Science in 1861. He was elected Fellow of Queen's College in 1862, and acted for some time as assistant to Sir Benjamin Brodie, who was then Professor of Chemistry. All those who—like the present writer—worked under him at Oxford will remember his marvellous dexterity and skill in manipulation; few men can have had such fingers as he. He was an admirable science teacher Afterwards he was for twenty years head of the science department at Eton, and on resigning that post he returned for a short time to Oxford and resumed the

office of Junior Bursar of Queen's College, which he had formerly held. He was always to the front in educational and religious movements. His patience and geniality under a misfortune which would have soured a less admirable temper were the admiration of all who knew him. He was joint author with Mr. A. G. V. Harcourt, of Christ Church, of *Exercises in Practical Chemistry*, now in its fifth edition, and of other smaller works on chemistry and physics. In consequence of his death, it was decided to abandon the boar's-head ceremony in the hall of Queen's College on Christmas Day.

Since Mr. Madan has resided in Gloucester, several local societies and institutions have had the advantage of his high scholarly attainments and wide scientific knowledge; and it is no figure of speech to say that his death has created a gap which it will be very difficult to fill. He took a deep, sympathetic, and practical interest in the Gloucester Municipal Schools of Science, Art, and Technology, and in the Public Library, of the Managing Committee of which he was a member. At the first meeting of the newly-elected Council in November last, the Mayor expressed the great regret of the whole of the Corporation that Mr. Madan's health was such as to cause him to resign his membership of those committees. In the previous month the Bishop announced Mr. Madan's resignation of the lay secretaryship of the Diocesan Conference, to which he had rendered invaluable aid. He was also secretary to the Diocesan Trustees. In the proceedings of both the Bristol and Gloucestershire Archæological Society and the Cotteswold Club the deceased took a prominent part, and had made much-appreciated contributions to their *Transactions*. He was a member of the Council of the first-named Society, and was joint librarian with the Rev. Canon Bazeley of the Library at Eastgate House, where his ever-ready help will be sadly missed.

Mr. Madan, who met with a most unfortunate accident three years ago—the result of which was to deprive him of a part of his right arm,—had been in declining health for the last year and a half or two years, and had been compelled gradually to relinquish those scientific and other learned pursuits in which he took so keen a delight, and which proved of such great advantage to the community amongst whom he resided.

HENRY DUNCAN SKRINE.

Though Mr. Skrine was not a Gloucestershire man, he had been a Life Member of our Society from the beginning. He took his degree in Classical Honours at Wadham College, Oxford, in 1837, and left the University a highly-cultured English gentleman, with an inherited devotion for Church and State, and a deeply-rooted love of Nature. He spent his long life amid his charming estates, at Warley and Claverton, dividing his time and wealth between the educational and charitable institutions he found so glad of his help in the city of Bath, and his library and the many fascinating pursuits available about his charming house for the lover of Nature. It would be a difficult task to attempt a recital of the many associations Mr. Skrine had with the social, charitable and educational life of the neighbourhood of Bath. Nearest his heart, perhaps, was the Selborne Society, of which he was the Founder in 1886, and then the President, for a love of animal life and a desire for their protection was one of his ruling passions. A presentation was made to him in November, 1897, by the members of the Society. To the Bath Literary and Philosophical Society he read many papers, and of the Institution he was in his time the moving spirit. His ancestors were among the founders of the Blue Coat School, and to this Institution Mr. Skrine was extremely generous; he had been a trustee since 1858. Of the Mineral Water Hospital he had been a governor since 1856, and as a Trustee of Partis College Mr. Skrine held the office of chairman longer than any of his predecessors. He was President of the Bath Eye Infirmary, of the Bath Church School Managers' and Teachers' Association (for something like 40 years), and was connected with many other similar bodies, including the Bath Field Club. The deceased gentleman was one of the warmest supporters of Bath College, and at the financial crisis of three years ago was one of those who generously came forward with assistance. The British Association Meetings in the locality naturally attracted Mr. Skrine's interest, and when the excursion took place from the Bristol Meeting in 1898, he entertained the visitors at Bushey Norwood, in the vicinity of the British camp there. He was a contributor to the handbook to the Bath Meeting of the Association.

Mr. Skrine died on September 25th, 1901, at the age of 86.

SIR JOHN FORTESCUE,

BURIED AT EBRINGTON, GLOUCESTERSHIRE.

By ANNE MANNOOCH WELCH, L.L.A.

SIR JOHN FORTESCUE, the great Lancastrian lawyer and political theorist, ended his long and marvellous career at Ebrington in Gloucestershire. Of him Lord Clermont, a descendant, writes in his most interesting and exhaustive work, *Sir John Fortescue and His Descendants*: "He lived quietly for some years at Ebrington, a manor house, part of which still remains included in the present less ancient building, close to the church and pretty village of the same name, looking over a smiling country of gentle hills and slopes, on the borders of Gloucestershire and Worcestershire, within the former county." Here, continues Lord Clermont, "he quietly spent the remainder of his days, and here he died leaving a great and venerable name to his posterity and country."

The date of Sir John Fortescue's birth and death can, unfortunately, only be stated approximately; but good authorities place his birth somewhere between 1390 and 1400, and local tradition at Ebrington maintains that he died at about ninety years of age. It has been observed, indeed, that "his life probably extended through the reigns of eight kings, and bridged over the gulf that separates the fall of the Plantagenets from the rise of the Tudors."[1]

Sir John Fortescue was buried at Ebrington church, on the north side, near the Lord's table. Of the church itself Lord Clermont writes, from notes taken August 8th, 1863, it is "not in itself remarkable, nor, except where a good

[1] *Macmillan's Magazine*, January, 1897.

Norman arch remains, near the tower inside, can it be as old as the Chancellor's tomb."

Lord Clermont's book, a vast and inexhaustible mine of information, is, alas! only for the favoured few; but the walls of Ebrington Church witness to no less than three descendants (in as many centuries) anxious to proclaim to the world their pride in—and their zeal for—the memory of their ancestor, so long departed.

Sir John Fortescue's monument then consists, first, of a large mural tablet, ornamented with the arms of the family, and erected in 1677 by Col. Robert Fortescue. It bears the following lengthy Latin inscription in the stilted and high-flown style of the period, setting forth to posterity the genius and merit of the deceased statesman :—

IN
FÆLICEM ET IMMORTALEM MEMORIAM
CLARISSIMI VIRI DOMINI
JOHANNIS FORTESCUTI
MILITIS GRANDÆVI, ANGLIÆ JUDICIS PRIMARII
ET PROCESSU TEMPORIS SUB HENR. VI. REGE ET
EDWARDO PRINCIPE SUMMI CANCELLARII,
REGIS CONSILIARII PRUDENTISSIMI,
LEGUM ANGLIÆ PERITISSIMI
NECNON EARUNDEM
HYPERASPISTIS
FORTISSIMI
QUI
CORPORIS EXUVIAS LÆTAM RESUR-
RECTIONEM EXPECTANTES
HIC DEPOSUIT
MARMOREUM HOC MONUMENTUM
POSITUM EST A.D.
MDCLXXVII.
VOTO ET EXPENSIS ROBERTI FORTESCUTI
ARMIGERI, EJUSDEM FAMILIÆ HÆ-
REDIS NUPER DEFUNCTI.

Angligenas intra Cancellos Juris et æqui
Qui tenuit, Cineris jam tenet Urna Viri.
Lux viva ille fuit Patriæ, Lux splendida Legis,
Forte bonis scutum, sontibus et scutica.

Clarus erat titulis, clarus majoribus, arte
Clarus, virtute ast clarior emicuit.
Jam micat in tenebris, veluti Carbunculus Orbi,
Nam Virtus radios non dare tanta nequit.
Vivit adhuc Fortescutus laudatus in Æuum,
Vivit et in Legum laudibus ille suis.

Unlike the generality of *post-mortem* hyperbole, which, by its very extravagance, tends to defeat its object and to raise up in the mind of the reader sentiments verging on disgust and disbelief, investigation into the life and character of Sir John Fortescue, as far as this is possible, but bears out this testimony.

A modern writer thus describes him: "Loyal in a time of treachery, upright in a time of violence, constructional in a time of destruction, and hopeful in a time of despair."[1] Lord Campbell says that he discharged his duties as Chief Justice with extraordinary ability, "and he seems to have been one of the most learned and upright men who ever sat in the Court of King's Bench"[2]; and again, "one of the most illustrious of the Chief Justices, for ever to be had in remembrance for his judicial integrity."[3] The eminent and voluminous writer of the 17th century, Fuller, joining him with his predecessor Markham, says: "These I may call two Chief Justices of the Chief Justices for their signal integrity; for though the one of them favoured the House of Lancaster and the other the House of York in the titles to the Crown, both of them favoured the House of Justice in matters betwixt party and party."[4] Indeed, the universal high opinion of the merit and genius of Sir John Fortescue is shared by people of all ages. "That notable bulwark of our laws," says Sir Walter Raleigh, in his *History of the World*, and referring to the "De Laudibus Legum Angliæ," the great lawyer, Sir Edward Coke, affirms it, in his opinion, "worthy to be written in letters of gold for weight and worthiness thereof."[5]

[1] *Macmillan's Magazine*, January, 1897.
[2] Lord Campbell's *Lives of the Chancellors*.
[3] Lord Campbell's *Chief Justices*. [4] Fuller's *Worthies of England*.
[5] Sir. E. Coke, *8th Part of Reports*, 1777, f. xiv.

Indeed, the consensus of opinion seems distinctly to point to Sir John Fortescue as a man both of great intellectual activity and also of strict integrity, and this in an age of the grossest corruption. Though, to quote his own words, in the world of politics he was a "partial" (party) man; yet on the Judicial Bench we have distinct proof that he was a just judge. Kerver's case and other instances testify to Sir John Fortescue's paramount sense of the majesty of the law, even when face to face with the King himself; and we know that at an advanced age, when possessed of great wealth and occupying a post of dignity, he preferred to share exile and poverty and contempt, rather than forsake his Lancastrian master. When we reflect that this was the age of the turncoat Warwick, and of others whose loyalty seemed ever subservient to self-interest, the manly and self-sacrificing conduct of Sir John Fortescue stands out all the brighter by the contrast.

"It is delightful," writes Lord Campbell, "amidst intriguing Churchmen and warlike Barons who held the Great Seal in this age, to present to the reader a lawyer, not only of deep professional learning, but cultivated by the study of classical antiquity, and not only of brilliant talents, but the ardent and enlightened lover of liberty,—to whose explanation and praises of our free constitution we are in no small degree indebted for the resistence to oppressive rule which has distinguished the people of England."[1]

"From the welter of anarchy, treachery, and violence, there emerges to our astonishment the figure of a man of learning and a man of letters, a judge of profound knowledge and unshaken integrity, a sagacious statesman and an acute politicial thinker, a loyal and unselfish servant, and a passionate lover of his country."[2]

[1] Lord Campbell's *Lives of the Chancellors.*

[2] *Macmillan's Magazine*, January 1897.

Below the tablet before referred to, on a small slab is the inscription:—

> "To perpetuate the memory of that learned and excellent man, Chancellor Fortescue, this monument was repaired by his descendant Matthew, Lord Fortescue, in the year 1765."

On a brass plate still lower on the wall:—

> "Restored by the Rt. Honble. Hugh, 3rd Earl Fortescue, A.D. 1861."

Below is the tomb itself. On it reclines a full-length figure of the great lawyer, with his hands joined as if in prayer. Perhaps, save for its antiquity, the tomb would scarcely appeal to modern taste. The red robes and cap in which the figure is clad are very brilliant, and the arms of the family are represented on shields on the three sides of the tomb.

There seems to have been some question as to the age of the tomb, which, however, authorities declare to have been undoubtedly erected not later than the *early* 16th century. It appears that even Atkyns, in his *History of Gloucestershire*, has mistaken the tomb for a later erection. Hearne, the great antiquary, in his unpublished diary, writes: "Sir Robert Atkyns, in his description of Gloucestershire, hath made a gross mistake (in which he hath been followed by Bishop Gibson, the author of the *Magna Britannia*, &c., &c.) in asserting that my Lord Chancellor Fortescue's monument, with his effigies, in Ebburton Church, was set up by his heir in 1677; for though it be true that in the year 1677 a monument, with an inscription, was fixed in the wall on the north side of the chancel, yet that with his effigies (which is a raised monument of freestone, finely painted in colours, standing on the north side of the chancel, within the communion rails) was erected, as any eye may witness by the form of the workmanship, after his death." The writer of the article on Sir John Fortescue in the

Biographia Britannica is in entire agreement with this theory, and writes: "Any eye-witness may see that the tomb is of great antiquity, and was obviously erected soon after the interment."

Obviously Sir John Fortescue's tomb gives to Ebrington Church a paramount place among the historical and archæological treasures of the county, though indeed it is to be feared that scarcity of record in those turbulent times has perhaps prevented complete justice having been done to the full and varied life-history of the notable man whose last resting-place it is.

Unfortunately, very little is known of the details of his life at Ebrington, and, as has already been observed, the very date of his death is doubtful. It seems that after the battle of Tewkesbury (May 4th, 1471), and the murder of Prince Edward—that last and fatal blow to the Lancastrian cause,—Fortescue, who was among the captured, was ordered to betake himself to his estate of Ebrington. The question most naturally at once arises, Why should he have been spared when so many far less implicated fell victims to Edward's fury? Was the mercy shown him due to respect for age and talents, or contempt for impotency? Indeed, so certain seemed his doom that his execution is prematurely mentioned in a *Paston Letter*.[1] "Lord Foskew" he is called, and it is only by a note appended that we learn that he had been spared.

Here, in peaceful if enforced retirement at Ebrington Manor House, he passed his later years in studious quiet. A versatile writer in *Macmillan's Magazine*[2] pictures in imagination a spare bent form, clad in black, creeping through the leafy lanes of Ebrington—old and perhaps nearly forgotten by the busy world and country rustics—whispering with wonder that rumour had it that he was once of great account, that he had played a part in the troublous times still fresh to memory, and had shared even in the counsel of kings.

[1] III., 9. [2] *Macmillan's Magazine*, January, 1897.

The details of Sir John Fortescue's life at Ebrington are, unfortunately, not recorded; but we know that it was at Ebrington (1471–1473?) that he wrote his retractation;[1] it was at Ebrington that he petitioned, and successfully, for the reversal of his attainder and the restoration of his estates; and, finally, we believe that it was in the solitude of his country home (1471–1476) that he produced in English the *Monarchia, or, The Governance of England*, the earliest constitutional treatise in English and his last work—the sum of a long life of political experience. We know that the early days of his sojourn at Ebrington must have been sad. Domestic bereavement added its weight to the old man's sorrows for the fall of the House of Lancaster, and for the untimely death of the hopeful Prince—his pupil, Prince Edward. Sir John Fortescue's only son (Martin) died on November 11th, 1471; one of his two daughters had been deserted by her husband; and his wife was either dead or died very soon—before May, 1472, as we know from the "inquisition" taken after the death of Martin Fortescue.

Can it have been now (Mr. Plummer thinks either after the battle of Towton or of Tewkesbury—probably the *latter*, and consequently *now*) that Fortescue, from the depths of gloom into which his life seemed plunged, produced a tract, the authenticity of which seems beyond doubt, entitled the *Dialogue between Understanding and Faith*: "Alas howe many just and peasible creatures have borne the payne and angwissh of this warre! Alas howe many men of honest livyng have suffred dethe! . . . I se the naughty and reprovable people helped with richesses, and the good honest people beggars and nedy." Fortescue was going through a sad experience, and his language reminds us in its strong simplicity of the psalmist King of Israel, and his solution is the same.

There is little more to gather of Sir John Fortescue at Ebrington. In October, 1471, his pardon passed the Great

[1] Entitled *Declaracion upon Certayn Wryntinges*. (See below.)

Seal, and he was a little later made one of the "King's Councell," though it is significant that he and Prisot (Chief Justice of the Common Pleas) alone of the judges were *not* reinstated in office. In October, 1473, we find Fortescue petitioning the King in Parliament for his restoration in blood and estate, pleading in furtherance thereof, that all requirements had been met, "that nowe there remayneth no colour or matere of argument to the hurt or infamye of the same right or title, by reason of any such writyng." (*See* Appendix.) An exemplification of this petition and the corresponding reply passed the Great Seal in February, 1475. The very last notice we have of Sir John Fortescue is in 1476, and this is purely formal—the delivery of an Assize, which had been taken before him into the Exchequer; purely formal, and yet it proves that he was still alive at that date, and we believe that he lived some years longer.

We contend for the honour of the possession of Sir John Fortescue with Devonshire, in which county we believe he was born; and our claim seems still more real when we reflect that of all the long list of estates Sir John accumulated by marriage, purchase, or descent, in at least six counties (see below), that of Ebrington in Gloucestershire alone remains in the family; and it gives the second title of Viscount to his descendants.

It appears that on the death of Sir John Fortescue's only son, Martin, in 1471, the latter left two young sons—John, aged 12, and a younger named William. The estate passed to the elder son, John, and through him Ebrington has come down, it is interesting to note, in direct succession to its present owner, Earl Fortescue, the fourteenth in descent from our Sir John Fortescue. From the younger of Martin Fortescue's sons, William, is descended Lord Clermont, author of the work so often quoted already, and his brother, Lord Carlingford, translator into English of "*De Natura Legis Naturæ*" in the same book. Fuller, in his *Worthies of England*, quotes the family motto: "Forte Scutum Salus

Ducum," and observes that "they have attained eminency in whatever profession they have applied themselves." Mr. Plummer tells us that to the elder line belongs the cultured Lord Fortescue of Credan, who was judge in all three Courts of Common Law, and to the younger line, William Fortescue, the friend of Pope, who ultimately, after a distinguished career, became Master of the Rolls. Mr. Plummer adds that therefore, in Fortescue's own case, his words in *De Laudibus* have been verified, that from the families of the judges often descend nobles and great men of the realm.

Why Sir John Fortescue purchased the reversion of the Manor of Ebrington, or the circumstances of that purchase, we do not know; whether he had local connections or interests, or how and when the estate first came to his notice, all is wrapped in the deepest obscurity. But we do know that with regard to its restoration Fortescue was singularly fortunate, for it happened that Lord Wenlock, to whom it had been granted, proved false to his Yorkist proclivities, and, joining the banner of Warwick against Edward IV., fell at Tewkesbury, thus greatly simplifying matters. The "release of the Manor of Ebrington"[1] is given in full. Lord Campbell, in his *Chancellors of England*, remarks that it is interesting as a "curious specimen of conveyancing, and of the English language in the reign of Henry VI."

Sir John Fortescue was born somewhere between the years 1390 and 1400. We cannot with certainty give the exact year of his birth, but it probably was nearer 1400 than 1390.

Sir John Fortescue's father—also Sir John (second son of William Fortescue, of Winstone, Devon),—who died about 1435, fought at Agincourt, under Henry V., in 1415, and was made Governor of Meaux on its capture in 1422.[2] Our

[1] Appendix.

[2] On 15th of March, 6 Hen. V. (1419), he was appointed Captain General and Administrator General of Maritime Affairs for the Cotentin. *Reports of Deputy Keeper*, Vol. xli., p. 756. (A reference which Mr. Plummer owed to his friend Mr. T. A. Archer.)

Sir John was the second of three sons. The eldest, Sir Henry, also adopted the legal profession, and was from June, 1426, to November, 1427, Chief Justice of the Common Pleas in Ireland. The youngest of the three brothers, Sir Richard Fortescue, fell in the first battle of St. Alban's in 1455, fighting on the Lancastrian side.

Sir John Fortescue's mother was Joan, daughter and heiress of Henry Norreis, of Norreis, in the parish of North Huish, in Devonshire, and it is probable that he was born there, but the place of his birth is unknown.

Sir John was probably educated at Exeter College, Oxford, and later he became a member of Lincoln's Inn, of which he was made a "gubernator" in 1425, 1426, and 1429. With regard to this period of his life, the curtain is happily raised for us for a moment in one or two short passages in his great work, *De Laudibus Legum Angliæ*. Very quaint and obviously autobiographical is the description of life at that period in the Inns of Court; and in describing life to the young Prince he doubtless colours it somewhat highly. All the students, he tells us, are men of birth and fortune, with incomes of at least £28 a year (£400 of our present value)[1]; that the place is much favoured as an educational resort by parents anxious to give their sons every advantage, that music and dancing and other accomplishments are studied during term, and that out of term attention is turned to the study of law, and that on festival days after mass the students are wont to read the Bible and history.

It is sad to have to relate that *De Laudibus* is said to have suffered from interpolation, and that it is especially on the authenticity of this chapter (XLIX) that doubts are cast. (Pulling, *Order of the Coif.*) However that may be, with regard to the study of the Bible, we cannot but remember how very well versed Fortescue is in

[1] Hallam, *Middle Ages*, ch. ix. He computes the worth of money in the reign of Henry VI. to be sixteen times the value of the sum at the present time.

Scripture, and how many of his arguments are drawn therefrom, and it is curious also to call to mind how closely connected in early days was the study of law with theology. Such a thing as a lay Chancellor indeed was most unusual.

Fortescue seems to have taken the degree of serjeant-at-law about the year 1429 or 1430.[1] An interesting and minute account of this costly ceremony of investiture with the white silk coif is given in *De Laudibus*.[2] After a banquet, "a sumptous feast like that at a coronation which is to continue for seven days together," given by the newly-made serjeant, each person was presented with a ring, the value to accord with his rank. Fortescue on this occasion spent £50 (£800 according to our computation) on rings alone. Moreover, "liveries" had to be given to all friends present, as well as to servants; so that it is not surprising that young men appeared sometimes loath to take the degree, and that legislation on the point was necessary to enforce it.

The way in which these favoured ones were chosen was thus: "The Lord Chief Justice of the Common Pleas, by and with the advice and consent of all the judges, is wont to pitch upon, as often as he sees fitting, seven or eight of the discreeter persons, such as have made the greatest proficiency in the general study of the laws and whom they judge most qualified. The manner is to deliver in their names in writing to the Lord High Chancellor of England; who, in virtue of the King's writ, shall forthwith command every one of the persons so pitched upon to be before the King at a day certain, to take upon him the state and degree of a serjeant-at-law, under a great penalty in every one of the said writs specified and limited."[3]

From the date of taking this degree Fortescue seems to have begun to practise, and his name appears in the Year Books fairly frequently. He seems to have gone the

[1] On Serjeants-at-Law, cf. *Piers Plowman*. C Text Passus I., ll. 158 ff., or A Text Prologue, ll. 84 ff. C. Text Passus IV., ll. 276-7, with Skeat's notes. Also Sir Thomas Smith, *Republic of England*, ch. xv.

[2] *De Laudibus*, chap. 50. [3] *De Laudibus*, chap. 50.

Western Circuit, which, as Mr. Plummer observes, was the natural one for him to choose.

In the *De Laudibus*[1] he mentions an occurrence which affected him deeply, which took place about this time, and which he cites in reply to the hypothetical objection with regard to the law's delay. It was this: An unfortunate woman was burnt at Salisbury for the murder of her husband. On a second occasion, when Fortescue was himself again present at the gaol delivery, the servant of the murdered man confessed that *he* and he alone had been guilty of the deed, and that the wife had suffered innocently. On Fortescue, to whom the very thought of torture was abhorrent, and who exhausts himself in *De Laudibus* in proving both its hideousness and its inefficacy, this incident made a deep impression, and he records that the judge (who happened to be the same on both occasions) often told him that he could never overcome his feelings of remorse at the sad episode.

To us, to whom the sanctity of human life is a commonplace, the incident can only appear in its true light; but it speaks much for the humanity of judge and barrister in those days that the life of a humble victim should have affected them thus.

Unfortunately very little is known about Fortescue at this period. A few desultory notices, a few inferences, a few words very occasionally from himself, and then the outline has to be filled in more or less at random, or, better still, left conjectural. We know that before September, 1436, he had married Isabella or Elizabeth, heiress of John Jamyss, of Philip's Norton, near Bath, who brought him property in the county of Somerset.

Mr. Plummer brings home to us the life of a barrister at that time by quoting from the *Paston Letters*. He surmises that Fortescue resided at one of his country properties, and went up to Town for the law terms, unless the law courts happened to be suspended on account of the plague as was

[1] *De Laudibus*, chap. 53.

the case in 1434. He must have had chambers in Lincoln's Inn. John Paston lived in the Inner Temple. Still continuing the hypothetical analogy, Fortescue's wife may have sent him up provisions from the country, as Paston's wife certainly did :

"I have do purveyed in this wareyn xj^{xx} rabets and sent up be the berer thereof."[1] And Mr. Plummer explains that residence in London was not very common in those days for lawyers' families; and also he draws our attention to the curious fact that agricultural England, as she was then, required that everything, even law terms and parliamentary sessions, should give way to the exigencies of harvest. However, later on when Fortescue had become older and more important, it seems possible he may have lived in London, for as Mr. Plummer observes, how else could the discontented Yorkist mob have contemplated attacking "hes house"? Anyway, he certainly had lands in Middlesex.[2]

In 1440 and 1441 Fortescue apparently acted as Judge of Assize on the Norfolk Circuit, and it seems that he was coming into notice, for, after being appointed "King's Serjeant" at Easter, 1441, he was raised on January 25th of the following year, without any intermediate step, to be Chief Justice of the King's Bench, a sudden elevation which appears to have been quite unusual. He was knighted, Mr. Plummer tells us, before May, 1443, and possibly very soon after his promotion, but the actual date is not known. It is very unfortunate that very little practically is known of Sir John Fortescue during the eighteen or nineteen years of his Chief Justiceship. All his correspondence has perished (priceless in value it would indeed have been), and there are by no means so many notices of him extant as we could have wished.

We know that his salary was now 180 marks (£120)

[1] Margt. Paston to her husband, ii. 21.

[2] For officials living out of London cf. *Piers Plowman*, B Prologue, l. 164 and note.

a year, besides £5 16s. 11d. for a robe at Christmas and £3 6s 6d. for another at Midsummer. In addition, he received in the following February a grant for life of one dolium of wine annually, to which another was added in the following year. This complimentary grant of two dolia (tunnes) of wine is expressly reserved to him by the Act of Resumption in 34 Henry VI. (1455–6). In March, 1447, £40 a year was granted to him beyond his former allowance.[1]

There are now more frequent mentions of Sir John Fortescue, who was rising fast in fame and into favour. He evidently presided until Easter Term, 1460, as the Year Books testify, when Edward IV. seized the throne and the period of the Lancastrian exile began. We cannot do better than, in the main, follow Mr. Plummer's guidance, filling in detail from Lord Clermont or other authorities.

In October, 1442, he had to certify the King's Council of the tenor of certain charges brought against Robert Wells, Abbot of "Tourhille beside London," and others. He and the other judges, about the same time, were ordered to "committe to baille" 140 of the followers of Sir William Bonneville.

Early in 1443 he sat on a commission of enquiry into disturbances in Norwich caused by the exactions of the Prior of Christchurch. He now won Royal acknowledgment, and on March 4th a letter of thanks for "his grete laboures" was ordered to be sent him by the Council, in the King's name. On the 14th he and the Chief Justice of the Common Pleas were ordered to send to the Council "the names of indifferent persones suche (as) may be maade justices of the pees and sherriefs" in Norfolk. On the 23rd he attended at the Privy Council with a colleague, and "declareden alle theire demenyng at Norwiche and in Norffolke." On April 3rd and May 3rd Fortescue was present in the Council; and on May 8th, by the express orders of the Council, a warrant was made out for the payment to him of fifty marks for his labours and expenses in Norfolk. A day or two later he was

[1] Rymer, xi. 28; *Rot. Parl.*, v. 317.

ordered to attend at the Council and report as to certain riots in Yorkshire, which had arisen owing to dissatisfaction at the manner in which Cardinal Kemp had performed his duties as Archbishop of York. On July 11th he attended at the Council again; but Mr. Plummer holds, contrary to some other authorities, that these attendances do *not* authorise us to speak of Fortescue as a Privy Councillor—as, for instance, Lord Clermont does. He maintains that these attendances were merely in his capacity as judge to give *legal* advice to the Council; but, anyhow, when we consider Fortescue's deep insight into the composition and functions of the Council in his *Monarchia*, we cannot but think that his familiarity with the system was no doubt partly due to this close connection.

In January, 1444, Fortescue was laid up with sciatica, and as Sir William Paston was also unwell, the assizes at East Grinstead had to "discontynue puer none venue des Justicez."[1] Very quaint is it to read that the only alternative means of getting from one place to the other was on horseback or by a sea voyage! The following is a letter from James Gresham, who probably acted as Fortescue's secretary, to William Paston, copied from Lord Clermont:—

"TO MY RIGHT WORTHY AND WORSHIPFUL LORD, WILLIAM PASTON, JUSTICE, IN HASTE.

"Please it your good Lordship to weet, that the Chief Justice of the King's Bench recommendeth him to you, and is right sorry of the matter that is cause your none coming hither, but he will do all that he can or may for you.

"He hath had a sciatica that hath letted him a great while to ride, and dare not yet come on none horse's back, and therefore he hath spoken to the Lords of the Council and informed them of your sickness, and his also, and that he may not ride at there next assizes to East Grinstead, and though those assizes discontinue pur none venu dez Justicez, he hopeth to be excused and ye also.

[1] *Paston Letters*, I., 50.

"And as for the remanent of the assizes, he shall journey to be there by water; and Almighty Jesu make you heyle and strong.

"Written right simply, the Wednesday next tofore the Feast of the Purification of our Lady at London.

"By your most symple servant,

"JAMES GRESHAM.

"London, *Wednesday, 30 January, 1443.*"

22 Henry VI.[1] (Copied from Lord Clermont, Letter vi., vol. iii., p. 27.) (In Gairdner's edition, corresponding Letter, vol. i., p. 50.)

As has been said before, Sir John Fortescue we believe to have been a man of singular probity, and about this time an incident occurred which has already been referred to, and which certainly can only tell strongly in his favour. A person, named Thomas Kerver, who was imprisoned in Wallingford Castle, sought and obtained pardon from the King. However, doubtless on good grounds, Fortescue, though enforced by Royal command, refused to release the prisoner. The reason of his refusal we do not quite understand, but it seems as if he did not feel that he had legal right to do so and the King seems to have wished to keep the matter quiet. The letter Henry wrote to the Chancellor, who was also Archbishop, referring to the matter, is interesting:—

"RIGHT REVEND FADER IN GOD,—Right trusty and Right welbeloved, We grete you wel.

"And how be hit that we now late sent unto oure trusty and welbeloved Knight John ffortescu our Chief Justice charging hym to deliver oute of oure Castel of Walyngford in our behalve Thomas Kerver, which by oure comaundement hath long tyme been in ward in ye prison of oure said castel, yet natheless ye said John ffortescu hath do us to understande that he hath no pouair so to do in any wise. Werfore we wolling for

[1] *Paston Letters*, I.

certain causes and consideracons especially moeving us the forsaid Thomas to be in brief tyme delived out of ye said prison without any firther delay, charge you yat ye do make oure writte in due fourme directed unto the counestable of our said castel or his depute comaunding him straightly to delivir ye forsaid Thomas out of ye forsaid prison, and to souffre hym to goo at large. And yat ye faille not herof as we truste you. Lating you wite yat it is oure ful wille yat ye shal so do.

"And we wol these our Ires to be unto you souffisant warrant and discharge in yat behalve. Yeven under our signit at Pottern the xxv. day of Aoust the yere of our Reyne xxv. (1447).

"To the Right Reverend fader in god our Right trusty and Right welbeloved tharchbishop of Cant' our Chauncellier of England."[1]

In the Parliament of February, 1445, Fortescue had been appointed one of the triers of petitions, and from the Rolls of Parliament we learn of his subsequent appointment every year till 1455 inclusive.

In 1447 he received a grant from the Convent of Christ Church, Canterbury, admitting himself and his wife to the fraternity, and in the deed he is thus described :—

"Vir equidem justus, quem omnes diserti justum discernunt, obsequuntur, venerantur, et diligunt, cum et omnibus velit prodesse sed obesse nulli, nemini nocens sed nocentes prohibens."[2]

This document Mr. Plummer gives us in part, and he observes that the "immense benefits" which are alluded to in one place may possibly have been legal advice and assistance.

In 1447 and 1448 Fortescue acted in conjunction with the Chancellor and Chief Justice of the Common Pleas as arbitrator in a dispute between the Cathedral and the Corporation of Exeter, with regard to their respective

[1] *Miscellaneous Records in the Tower.*

[2] *Archiv Ecclesie Xpi Cantuar*, Reg. S., fol. 172a.

jurisdictions, and naturally he leant to the side of the capital of his native county.

But Fortescue was fated to take part in more important matters. In the region of politics he was, as he admitted, a "partial" man, and now he was to be drawn into the first movements of the coming party struggle.

The history of 1450 comprises the downfall of the Duke of Suffolk, and his flagrantly unconstitutional death at sea. His story is too well known to need repetition. Through arrogance and partiality, and still more through failure abroad, he had become extremely unpopular. The Commons—in the pride of their strength—had petitioned as early as January 26th that the Duke might be imprisoned. And now Sir John Fortescue comes to the front once more. The advice of the judges was asked as to whether common rumour was a legal ground of commitment. It was Sir John Fortescue who, as the mouthpiece of his colleagues, replied by drawing a distinction between misprisions and trespasses on the one hand, and felonies and treasons on the other. Rumour in the former case was not sufficient, he maintained, leaving the inference that in the latter it was. However, the next day definite charges followed, and Suffolk was sent to the Tower. On March 14th Fortescue was sent to the Lords by the King, asking for their advice. The sequel to the incident is well known. The weak but unwilling King, "by his owne advis, and not reportyng hym to th' advis of his Lordes, nor by wey of judgement," was forced to give way and to banish Suffolk for five years. The Lords accentuated their cowardly refusal to bear the burden by protesting that this "proceded not by their advis and counsell, but was doon by the kynges owne demeanaunce and rule."[1]

In the Resumption Act of this year we must notice Fortescue is twice specially exempted, as a special mark of favour; and in August, 1450, he appears to have sat on a special commission in Kent with regard to the dis-

[1] *Rot. Parl.*, v. 183.

turbances relating to Cade's rising. It is interesting to notice that Fortescue about this time seems to be an especial object of dislike. In Cade's proclamation, which purports to express the wishes of the Commons of Kent, the King is requested to send "some trew Justyce wyth certeyn trew lords and knyghts" into Kent to enquire into matters, and the following significant words follow: "to syt upon this enqwerye we refuse no juge except iij chefe juges, the which ben fals beleve." The three "chief judges" being—Fortescue; Prisot, Chief Justice of the Common Pleas; and Arderne, Chief Baron of the Exchequer. And again, on June 2nd, 1451, in the Paston Correspondence, we read from the pen of Sir John Fastolf's servant: "The Chief Justice hath waited to ben assaulted all this sevenyght nyghtly in hes hous, but nothing come as yett, *the more pite*."

We can easily find an explanation for this unpopularity when we reflect how nearly Fortescue was connected with the Court party and how nearly he was allied with the party of Suffolk and Somerset, against whom the fury of Cade was especially directed. That Fortescue was, for that corrupt period, a man of singular probity seems quite certain, so that the charge of falseness is obviously untrue; and the fact that Prisot, Chief Justice of the Common Pleas, was (with the exception of Fortescue) the only judge who was *not* reappointed by Edward IV. on his accession proves that he, too, must have been an ardent Lancastrian, and so strengthens this idea. In some popular songs of the day, too, we find Fortescue's name mentioned with opprobrium, notably in one in which he is represented as taking part in the mock funeral service of Suffolk, together with others of the Court party:

> "Beatus qui intelligit and dredit also,
> Seyth John Fortescw, all this fals treason."

It is interesting to note that Mr. Gairdner believes that it was for Fortescue's very *impartiality* that he was looked on with such strong disfavour by the insurrectionists and others.

In February, 1454, arose a case in which Fortescue's decision has been of lasting importance in Parliamentary history. Lord Campbell writes in relation to this: "He laid the foundation of Parliamentary privilege, to which our liberties are mainly to be ascribed. He had the sagacity to see that if questions concerning the privileges of Parliament were to be determined by the common-law judges appointed and removable by the Crown, these privileges must soon be extinguished and pure despotism be established. . . . Accordingly, in Thorpe's case he expressed an opinion which, from the end of the reign of Henry VI. till the commencement of the reign of Queen Victoria, was received with profound deference and veneration."[1]

The circumstance was this. Thorpe, a Baron of the Exchequer and Speaker of the House of Commons, had been arrested for debt and imprisoned in the Fleet. The question arose whether Thorpe, as Speaker and Member of the House of Commons, ought not to be immediately set free. The Commons referred the matter to the Lords, who in their turn sought assistance from the judges. This case of Thorpe's imprisonment is one of transcendent importance, and the judges' reply of quite intrinsic value, altogether apart from the fact of Sir John Fortescue's connection therewith:—"To the whole question the Chief Justice Fortescue, in the name of all the justices, after sad communication and mature deliberation had amongst them, answered and said: that they ought not to answer to that question; for it hath not been used aforetime that the justices should in anywise determine the privilege of this high court of Parliament; for it is so high and so mighty in its nature, that it may make law; and the detirmination and knowledge of that privilege belongeth to the Lords of the Parliament and not to the justices."[2]

Lord Campbell, commenting thereon, thus continues:

[1] Lord Campbell's *Lives of the Chancellors*, chap. xxii.

[2] *Thorpe'e Case*, 31 Hen. VI., A.D. 1452; 13 *Rep.*, 63; 1 Hatsell, 29; Lord Campbell's *Speeches*, 225.

"In consequence of this decision the two Houses of Parliament were for many ages allowed to be the exclusive judges of their own privileges; liberty of speech and freedom of inquiry were indicated by them; the prerogatives of the Crown were restrained and defined; and England was saved from sharing the fate of the monarchies on the Continent of Europe, in which popular assemblies were crushed by the unrestricted encroachments of the executive government."[3]

War broke out in May, 1455, and Sir Richard, Sir John's younger brother, was slain at the first battle of St. Alban's. Mr. Plummer, in his learned and well-known book on *The Gouvernance of England*, still fills up for us the meagre outline of Fortescue's life. In June, 1455, he tells us that Sir William Oldhall, the Yorkist, who had been attainted in Parliament n 1453, was waiting in sanctuary for Fortescue, in order to sue in the King's Bench for a reversal of his outlawry. In February, 1456, a dispute between Sir Philip Wentworth and Sir John Fastolf was referred to the extra-judicial decision of Fortescue and Yelverton; and, in a note, Mr. Plummer adds that the following curious entry in the accounts of John Paston, who was Fastolf's counsel, was doubtless in connection with this affair: "For wine and spice with Fortescue and Wentworth, 23d."

And now again occurs an example of Fortescue's rectitude and strength of character, even when face to face with his patron the King himself, which almost reminds us of that of Kerver. In March, 1456, a difficulty arose about the sheriffdom of Lincoln, and Fortescue and Prisot were not afraid to declare that wrong had been done by the *King* in the appointment he had made. In May almost all the judges were engaged at the Guildhall, we hear, and Sir John Fastolf's legal business must stand over. This evidently refers to the Special Commission to enquire into an attack made on Italians resident in London, of which commission Fortescue formed one.

[3] Lord Campbell, *Lives of the Chancellors.*

In 1458 a futile peace was made between the contending parties. The document claims to have been drawn up after consultation with the judges, so we may assume that so ardent a politician as Fortescue took part in the deliberations.

In the Parliament held at Coventry, 1459, Fortescue, for the first time since that of 1445, was not a trier of petitions. However, Mr. Plummer notices that, according to references in the *Paston Letters*, he had evidently occupation in drawing up measures passed in Parliament against the defeated Yorkists. A letter written during this Parliament observes "the Chief Justice is right herty." It was in this Parliament that Fortescue was appointed one of a new body of feoffees, which the King created and enfeoffed with certain lands, &c., for the carrying out of his will. Sir John Prisot was among the number, and it is curious to note many names which occur both in the song on Suffolk's death, and in the list of unpopular people indicted at Rochester. We may thus draw our own conclusions.

But after the great Yorkist victory of Northampton in July, 1460, a Parliament was held in October, and there the Duke of York claimed the throne. On October 18th, the Lords desired the opinion of the judges, but they declared the matter to be too high for them. One curious point is that, in this instance, Fortescue was NOT the mouthpiece of the judges as usual. The question at once arises whether he was present at this Parliament. Mr. Plummer tells us that he most certainly was *summoned*, and he bids us compare the reply of the judges with Fortescue's excuse in the "Declaracion upon certayn Wrytinges." The judges' reply runs thus: ". . . The mater was so high, and touched the Kyng's high estate and regalie which is above the lawe and passed ther lerning"; and Fortescue, in the "Declaracion upon certayn Wrytinges," anxious to exculpate himself as far as possible, pleads that he had not "labored or studyed in any faculte except the lawes of this londe, in which the studientes lerne full lytell of the right of succession of

kingdomes." Mr. Plummer has a theory that a document entitled "The replicacion made agenste the title and clayme by the Duc of Yorke to the Crownes and Reaumes of England and France" (see below), from its position in the Yelverton manuscript *after* a similar document entitled "The title and clayme of the crowne by Richard duc of York," possibly intimates thus the reply that Fortescue would have made, had he dared, to the question put by the Lords to the judges.

Between the dates of the Battle of Northampton, in July, 1460, and that of Towton, on March 29th, 1461, we rather lose sight of Sir John Fortescue. The fact that there is no record of his having presided in the Court of King's Bench after Easter, 1460, rather suggests that he might have thrown in his lot with the Queen, and have retired with her to Wales, and later on gone North. If that surmise is correct, Sir John (who must have been close on seventy years of age) must have been present both at the Battle of Wakefield, December, 1460, and at the second Battle of St. Alban's, February, 1461, as indeed we *know* he was at Towton, March 29th, 1461. However, we must notice that Mr. Plummer thinks this surmise probably incorrect, from the fact that the Chief Justice's presence at the Battle of Wakefield and at the second Battle of St. Alban's is not mentioned, though his presence at the Battle of Towton is, in the Act of Attainder, now to be passed against him by Edward's First Parliament, which was held at Westminster. This Parliament declared Henry IV., Henry V., and Henry VI. to be usurpers, and, after having annulled many of their acts, passed a "sweeping" Act of Attainder against Henry VI., Queen Margaret, Prince Edward, the Dukes of Somerset and Exeter, and 148 lords, knights, priests, and esquires, among the number being Sir John Fortescue. As will be seen, the acts of treason brought against him were of taking part in the Battle of Towton, and in the skirmishes at Brauncepeth and Ryton a little later.

The following is the portion of the Act of Attainder which affects Fortescue, and is as given by Lord Clermont :—

"And where also Henry, Duke of Exestre, Henry Duke of Somerset . . . John Fortescu Knight (with many besides), on Sunday called comynly Palm Sunday, the xxixth day of Marche, the first year of hes reigne, in a field bitwene the townes of Shirbourne in Elmett and Tadcast[r] in the said shir of York, accompanyed with the Frenchmen and Scotts the Kynge's ennemyes, falsely and traitorously ayenst their feith and Liegeaunce, then vexed werre ayenst the same Kynge Edward, their rightwise true and naturall leige Lord, purposying there and then to have destroyed hym, and deposed hym of his Roiall Coroune and Dignite, and then and there to that intent, falsely and traiterously moved bataille ayenst his seyd astate shedying therein the blode of a grete number of hys subjetts . . .

"And over that, which said Henry late called Kyng of England the Sixth, and also Thomas Lord Roos, Thomas Gray, Lorde Rugemonde Grey, Humfrey Dacre, Knyght, John Fortescu, Knight, William Taillboys, Knight, Edmund Mountford, Knight, Thomas Neville late of Brauncepeth in the Bisoprycke of Durham Clerk, Humfrey late of the same, squier, and Thomas Elwythe, late of Caleys squier, the xxvi. day of June last past at Ryton and Brauncepeth in the Bisoprycke of Durham with standards and gyturons unrolled, vexed werre ayenst oure said Lord Kynge Edward purposyng to have deposed hym of his Roiall Astate, Coroune, and Dignite, ayenst their feith and Liegeaunce.

"It be declared and adjudged by that the assent and advis of the Lords Spuelx and Temporelx and Commyns, beginning in this present Parliament and by auctorite of the same, that they [here the names are again recited, including that of Sir John Fortescue] for their traitoresse offences and transgressions afore declared, committed

and doon ayenst the said Astate, Coroune, and Dignite of oure seid Soverayne Lord Kynge Edward the fourth, stand and be convycted of high treason, and forfeit all the Castelles, Maners, Londes, Lordships, Tentes, Rentes, Services, Fees, Advousons, Hereditaments, and Possessions, with their appurtenances, which they or any of theym had, of estate of enheritaunce, or eny other to their or any of their use hadde, the seide fourth day of March, within Englond, Irlond, or Wales, or Caleys, or in the marches thereof."[1]

From the date of the Battle of Towton (March 29th, 1461) the fortunes of Sir John Fortescue became closely linked with those of the Lancastrian Royal Family. An outlaw and attainted, he could not but accompany Henry VI., the Queen and Prince, to Scotland, and thence to the Continent in 1463. In Scotland, he tells us himself, he was "chief councillor to the King." Doubtless he took his share in furthering the various schemes set on foot at this time: negotiations with the Scotch for assistance, with France, Brittany, Burgundy, and Anjou; and helping by advice the projected invasions of England.

The two years' sojourn of Fortescue in Scotland formed, of course, the period during which he wrote the various treatises—afterwards so dangerous—on the Succession Question. The most important is the second part of the *De Naturâ Legis Naturæ*, the "Latine book" as he calls it himself. Three people are represented as laying claim to a kingdom. Justice hears them out, and then declares judgment. The three claimants are the brother of the late king, his daughter, and the daughter's son. After a long and wearisome argument, of course, the brother is declared successor, as a daughter, it is argued, can neither reign nor transmit her claim—the very point, of course, on which the contending parties diverged.

It was primarily this work, but also several treatises—some preserved and of undoubted authenticity, as the four

[1] *Rolls of Parliament*, v. 478.

Mr. Plummer names: (1) *De Titulo Edwardi Comitis Marchiæ*; (2) *Of the Title of the House of York;* (3) *Defensio Juris Domus Lancastriæ*; and (4), the most awkward and dangerous, "*A Defence of the House of Lancaster;* otherwise called *A Replication to the Claim of the Duke of York,*" by "The olde knighte exiled,"—which was concerned with proving the fact that succession was barred to the House of York through the illegitimacy of Philippa, daughter of Lionel—all of which Fortescue was forced later on to confute by Edward IV., and which he did in his "Declaracion upon certayn Wrytinges sent oute of Scotteland, ayenst the Kinges Title to the Roialme of England," pleading, however, that some were thrust on him that he never wrote, and that others he only agreed to, in conformity with the rest of the Council, but was "not well willing." (See below.)

We have a few desultory notices of Sir John Fortescue at this time, and something we gain from inference.

In the Act of Attainder (as we have seen) he is specially charged with "rearing war" against Edward IV. at Ryton and Brancepeth on June 26th, 1461.

Early in 1462 a rumour spread in England of a colossal attack, which was to be made by the combined efforts of nine powers, and in which Fortescue was named as one of a party which was to land at Sandwich. Indeed, a fleet of ships did congregate in the Seine, representing France, Spain, and Brittany, which was finally dispersed by Warwick in September, 1462; but we know nothing of the Lord Chief Justice having taken an active part in the enterprise! In one negotiation Mr. Plummer *hopes* that Sir John Fortescue was not concerned, though, as Hardyng carefully tells us, the deed was done "by the whole assent of his (Henry's) simple counsaill," and as Fortescue, in the opening words of his "Declaration against certain Writings sent from Scotland" tells us, he was "chief councillor to the King in Scotland." As so important a person was not likely to be excluded, it seems very probable that he DID take part in the matter. The subject referred to was an agreement with the

Scots, by which, in return for assistance, they were to have Berwick, and possibly also Carlisle, delivered over to them. It must, however, be observed that no mention of Fortescue's implication in this somewhat doubtful transaction is made in the Act of Attainder, and so we may well give him the benefit of the doubt.

The fugitives seem to have settled for a time at the Palace of Linlithgow, and afterwards to have taken up their residence in the Convent of the Dominican Friars at Edinburgh. They seem to have been in great straits for money, and Margaret we know pledged a gold cup to the Queen-Dowager of Scotland in return for pecuniary assistance; while Fortescue seems to have been enabled to help, for we read from a letter of Henry VI., doubtless genuine—"à ses depens nous a toujours entretenu notre estat."

In the summer of 1463, after many vicissitudes—castles in the north lost and taken, lost and again retaken,—after many schemes having failed and much hope deferred, Margaret and the Prince, accompanied by Fortescue (now attainted and an outlaw) and many others, left Scotland for the Continent, going first to Bruges and then settling at St. Mighel in Barrois, in a little fortress allotted to the fugitive Queen by her father, René of Anjou.

It would be both tedious and irrelevant to follow in detail the wearisome negotiations with the various foreign Courts and to write down in full the constant recurrence of hope and despair, except in so far as we have evidence of Fortescue's connection therewith. There is, of course, great dearth of record; but we have one letter of Fortescue's of priceless value, though it be but the covering letter to Ormonde of communications from the Queen and Prince. The (titular) Earl of Ormonde was acting as Lancastrian Ambassador at the Court of Portugal at this period. The letter, besides being of historical value, gives a vivid description of the great poverty in which the Lancastrian Royal Family was plunged. Omitting the first part, as

it is far too lengthy to transcribe in full, the letter ends thus, and has often been quoted:—

> "We buthe alle in grete poverte, but yet the quene susteynethe us in mete and drinke, so as we buthe not in extreme necessite. Here highnesse may do no more to us thanne she dothe. Wherfore I counseille you to spend sparely soche money as ye have, for whanne ye come hether ye shulle have nede of hit. And also here buthe maney that nede, and wolle desire to parte with you of youre aune money; and in all this contray is no manne that wolle or may lene you any money, have you never so grete nede.
>
> . . . . . .
>
> "I write at Seynt Mighel in Barroys, the xiij daye of Decembre. "Your servant,
>
> "J. FORTESCU."

A somewhat lengthy postscript now follows, at the end of which is the following remark:—

> "Item, the berer hereof had of us but iij scutes for alle his costes towardes you, bycause wee hadde no more money."[1]

Commenting on this letter, the writer in *Macmillan* before referred to says: "The last sentence is pathetic in its simplicity. A Queen of England, two Dukes, a Lord Privy Seal, a Bishop, the Lord Chief Justice, five Knights, and many other worshipful personages could raise but three crowns amongst them to send a message from St. Michel in Berry to Oporto."[2]

We know that Sir John Fortescue was employed in diplomatic negotiations with the Court of Louis XI. Twice at least he visited Paris—in 1464 and in the summer of 1465. His negotiatory zeal seems to have been especially ardent in the year 1470, when he did his utmost to urge on the "unnatural" alliance between Margaret

[1] Lord Clermont's *Sir John Fortescue and his Descendants*, Vol. I.

[2] *Macmillan*, Jan., 1897.

and Warwick — a marriage between Prince Edward and Warwick's daughter. Mr. Plummer tells us that he *plied* Louis XI. with memoranda and State papers, pressing on the notice of the astute monarch the advantages which would accrue to him on the re-establishment of the Lancastrians on the English throne, on the impossibility of peace with Edward and the certainty of peace with Henry. These papers are unfortunately lost, but our information is taken from an abstract of their contents in the National Library at Paris. He seems to have entered at great length and some minuteness of detail into all the schemes afloat at this time, which he had evidently very near at heart.

The sequel is well known. On October 3rd, 1470, Warwick landed in England and Edward fled to Flanders. The unfortunate Henry was taken from the Tower, and for a few months the event known as "The Lancastrian Restoration" took place.

Queen Margaret and the Prince Edward meanwhile remained in France—diplomatically a fatal delay, we are told. Meanwhile, Fortescue apparently employed himself with drawing up a document, which Mr. Plummer has printed for the first time. It is entitled, "Articles sent from the Prince to the Earl of Warwick, his father-in-law," and appears certainly from its title to have been somewhat premature. At last, on April 14th, Margaret and Prince Edward, accompanied by the faithful Sir John Fortescue, landed at Weymouth. A heavy blow awaited them, for on the very day, at the Battle of Barnet, Warwick the king-maker was defeated and slain, and Henry recaptured. The Lancastrians determined to make for the North, where their cause was still strong.

The writer in *Macmillan* in fancy paints the feelings and impressions of the martial Chief Justice as he marches through the home of his childhood, in the county of Devon, past his son's splendid mansion in the neighbourhood of Exeter, through Somersetshire, where lay his wife's estates,

and where he had probably spent many happy years of married life, and so on towards the Severn, where, alas! co-operation with the force under Pembroke, from Wales, most unfortunately failed, and an engagement was inevitable.

On May 4th, 1471, the fatal Battle of Tewkesbury took place, at which Fortescue was present, and in which we may imagine, in spite of advanced age, he played his part with the best. Prince Edward, the hope of the Lancastrian party, was foully slain; Henry VI. was captured, and three weeks later he died. Margaret remained a prisoner till 1475, when she was ransomed, and she died in 1482. That Fortescue was captured and spared has already been told. Why he was spared, as has already been observed, we do not know. The list as given by Leland runs thus: "Men of name taken and not slain—Sir John Fortescue, Sir John Saint Lowe, Sir Henry Roos, Thomas Ormond, Doctor Macherel, Edward Fulforde, John Parker, John Basset, John Wallys, John Throgmorton."

It was at this moment (legend has it) that Fortescue was ordered to betake himself to his house at Ebrington, in Gloucestershire, and that thither he went, doubtless full of gratitude at having escaped with his life, when so many, surely far less implicated than he was, perished.

A return for one moment to Fortescue's sojourn of nine years in France is necessary, for allusion must be made to his great work, *De Laudibus Legum Angliæ*, which he wrote during that period. This scholarly Latin treatise, consisting of hypothetical discourses, didactic in tone, in which the "Chancellor" instructs and exhorts the Prince, his pupil, in law and polity, has always been considered Fortescue's masterpiece. High authorities exhaust themselves on the merit and value of this great work: "Worthy to be written in letters of gold for weight and worthiness thereof," affirms Sir Edward Coke in language of extravagant adulation. With more temperate eloquence Foss thus criticises the *De Laudibus* in his *Lives of the Judges*, placing

it, as it were, in a position quite unique in comparison with the works of earlier legal writers. "The works of Glanville, Bracton, and Hengham have no doubt been more useful to the legal practitioner, but that of Fortescue offered greater attractions to general readers by its popular form and historical details."[1] And again: "While the former have become almost obsolete, the latter is still read with interest by the curious and the philosophical enquirer." And once more: "*De Laudibus* is, after three centuries, referred to as the first treatise that minutely entered into the history of our legal institutions and described the professional education and habits of the period."

Though, under the circumstances, it would be quite impossible to dwell at length on this work, yet allusions have already been made to it, and descriptions taken from it on two occasions—that of life at Lincoln's Inn in the early 15th century, and of the making of a serjeant-at-law in those days. As Mr. Foss has said, the treatise is of general as well as of special interest, and now that a translation is to be found in Lord Clermont's book, there is much that will repay perusal even to the non-legal student.[2] Obviously, the glorification of English law is in the foreground of the writer's mind; and, as in the *Governance of England* (*Monarchia*), there are constant allusions (often in the way of contrast) between England and France, and always in favour of the former. As usual with Fortescue, the book is cast in the form of a dialogue between the "Chancellor" and the Prince, his pupil. Questions of great sagacity are put into the young prince's mouth, and discourses from the "Chancellor," of great length and learning, answer them.

The book was written in France, ostensibly for Prince Edward, between 1468 and 1470, and was first printed in

[1] Foss, *History of the Judges.*

[2] There was an earlier translation by Mulcaster, 1567,—probably reprinted in the editions of 1599, 1616, 1660, 1672; the two last were edited by Selden. Gregor's translation, 1775, is probably a fresh translation. Amos made a fresh translation for his edition of 1825.

1537. Edition followed edition, and the work has now become almost a classic.

The story—or, rather, so much as we can glean—of Sir John's life after the battle of Tewkesbury has already been related. How he lived in seclusion at Ebrington Manor House; how he petitioned for the reversal of his attainder and his restoration in blood and estates; how Edward VI. made it a condition that his literary gifts (so often employed against him) should for this once be used in his favour, and that he should emphatically deny what he had previously said in favour of the House of Lancaster and against the House of York; how the old man now again took up his pen and, with almost pathetic attempts to keep up some semblance of consistency, wrote his retractation, entitled "*The Declaracion made by John Fortescu, Knyght, upon certayn Wrytinges sent oute of Scotteland, ayenst the Kinges Title to the Roialme of England*," dated presumably between October, 1471, and October, 1473. Indeed, it is but fair to remember his own words with reference to himself: "No Judge but a partial man to him, for whose favour he made the arguments." He pleads that some of the writings on the Succession question were not his, that others of those luckless documents were merely assented to by the "counsell" of which he formed part, and to which he was "not well willing"; but indeed there is evidence that there were others which it was possible, fortunately for himself, to destroy.

Sir John has to accept the claim of Edward IV. to the Crown through a *woman* as better than that of the rival house. His foundation-stone had always been that a woman cannot reign or transmit her claim to her son. "Eris sub postestate viri, et ipse dominabitur tui" is the text he starts from. All this he had now to explain away, when it was necessary for him to accept a King's descent from the second son (Lionel Duke of Clarence) through a woman, as better than that of a king descended in the male line from the third son (John of Gaunt) of Edward III. Very

lamely he declared now that every woman is under the power of the Pope, and that the text quoted is fully satisfied. By that explanation Lord Campbell truly remarks that the difficulty was still greater with regard to Philippa, daughter of Lionel Duke of Clarence, whom he had declared to be illegitimate. Now he declared that statement false, and blandly owned that since his return he had had access to documents which were inaccessible to him when he wrote the Succession Treatises. By this last clever stroke he frees himself from several awkward predicaments!

This treatise, "*Declaracion upon certayne Wrytinges*," which must have been written between the years 1471 and 1473, is cast in the form of a dialogue between Fortescue and a "learnid man in the lawe of this lande." It is, of course, seldom read now; but indeed, both on account of the literary ease with which it is written and the especial skill and subtlety which it shows, it would well repay perusal. As the "Declaracion" was certainly written at Ebrington, it has especial interest for us, and one can only regret that exigencies of space and time prevent closer examination of it. The opening words run thus:—

> "A lernid man in the lawe of this lande come late to the same Sir John Fortescu sayinge in this wise, Sir, while ye were in Scotelande with Henry somtyme king of this lande in dede, though he wer not so in righte, there ware made there many wrytinges and sent hedyre, by which was sowen amongs the people matier of grete noyse and infamye to the tytle whiche the Kinge oure Soueraigne lorde Edward the fourth hath and thoo hadde to reigne vpon us. And truly Syr the conceyvinge and endytynge of thoo wrytings have be ascribed to you in the opynioun of the people, considerynge that ye were the chief counceller to the said late king. For whiche cause hit is thought to many right wyse men and also to me and othere of youre frendis, that it is nowe youre dutee and also ye beth bounde in conscience to declare youreselfe herein, and also the qualities and

effectes of all such wrytinges as ye were thoo pryve unto, in such wyse as thay turne not hereafter to the Kinges harme. And that ye doo this by wrytings such as may come to the knowlache of the people also clerely as dyde the sayd wrytinges sent oute of Scotelande of whiche many yete remayne in the handes of full evyll dysposed people that pryvely rowne[1] and reden[2] thaym to the Kynges dyshonour, and disclaimdre of his said title.

"Whervnto Fortescu sayd in the forme that foloith—
My verray good and tru frende. . . ."

The "lernid man in the lawe of this land" is, after a long and exhaustive conversation with Fortescue, quite satisfied, and in the last paragraph of the treatise, gives expression to his feelings in the following quaint manner:—

"Nowe truly Syr, I am gladd that I have comenyd with you uppon all thes matiers. For how so be it that when ye wrote them ye intended that they shuld have been sore agayne the King's title by which he tho claymed, and now hath this londe, and so thay sowndyd and wer so taken of many men, God knowyth; yet nowe blyssed be God, thay be turned to a contrarie entent and effecte, for thay have causyd alle your forsayd declaracions. By whiche the said title is now so clere and oppenne that ther remayneth to theym that wyll stryve therwith nether matier nor coloure to do so. And verely ye be worthy grete thanke for that ye have thus planely said in thies matiers, not sparinge your owne oppynions whiche ye helde, while ye ware a parcyalle man; but preferring right a bowe wylle, and alle effections. And where as late ye drad that such maner of delynge might hurte your fame, truly Sir, it may not do so, for ye have in no thinge sayd nay to such thinges as ye verely knewe; but in many things which ye proved by arguments ye have now dysprouyd by gretter reasons. And many things which ye wrote by informacions wenynge thay hadde bene such as ye were

[1] Whisper. [2] Spread abroad.

tho informed, ye have sethen knowen by grete Euydences and Cronicles that they were not such; which ye nowe knowledge as ye ought to do. For els ye hadd doone ayen right; which me thynketh ye be not so disposed to doo."

Lord Clermont defends his kinsman from any charge of change of front with regard to his retractation. He says: "No one who has read his outspoken language in *De Laudibus Legum Angliæ*, when he repeats again and again the maxim that Kings of England must not make the laws, but must govern according to them, and the laws to be binding on people must have the people's consent, can doubt that he was ready to accept heartily, so far as right went, either Henry or Edward, or any sovereign, when once the consent of the nation had been deliberately and decidedly expressed in his favour."

Out of *De Laudibus* he quotes two passages to substantiate this theory: "The King is appointed to protect his subjects in their lives, properties and laws; for this regard and purpose he has the delegation of power from the people, and he has no just claim to any power but this." Again: "It is plain that if kingly power did not originally proceed from the people the King could have no such power rightfully at all." And in *De Dominio* (under Edward IV.), he writes: "Blessed be God this Land is ruled under a better law and therefore the people thereof be not in penury, nor thereby hurt in their persons, but they be wealthy, and have all things necessary to the sustenance of Nature. Lo this is the fruit of Jus Politicum et Regale, under which we live."

Other great authorities Lord Clermont cites to support his view; for example, Sir Edward Coke says of this work: "Fortescue, *De Laudibus Legum Angliæ;* this book was written in the reign of Henry VI., in commendation of the Laws of England, containing withal much excellent matter worthy of reading. He wrote also a book in defence of the title of King Henry VI., his Sovereign Lord and

Master, to the Crown of England; but after, out of truth and conscience, retracted the same, both which I have. Wherein he derived singular commendation, in that he was not amongst the number of those 'qui suos amassent errores,' but yielded to truth when he found it. This Sir John Fortescue was Lord Chief Justice of England, and afterwards Lord Chancellor of England, and his posterity remain in great and good account till this day."

While agreeing cordially that, under the circumstances, Sir John Fortescue was most fully justified in making his peace and in accepting the new King Edward IV., yet, with all due diffidence, it must be admitted that Sir Edward Coke, in making such a virtue of expediency, rather outsteps the bounds of common-sense and of decency.

The cause was lost, Prince Edward was dead: Sir John Fortescue could but make the best terms for himself. He had nobly supported his Lancastrian master while that was possible; then, with excusable self-interest, he considered it advantageous to make the best terms he could for himself and to accept the inevitable.

The one great subject of discussion regarding Sir John Fortescue is, of course, whether he really was ever Chancellor, and authorities like Mr. Foss and Mr. Plummer, who have gone thoroughly into the matter, are forced to own that if he ever were Chancellor it must have been merely, as Lord Campbell puts it, *in partibus*. However, Lord Clermont brings forward many arguments to support his kinsman's claim. He argues that old writers—Bale, Pits, Fuller, Pole, and Tanner—all unhesitatingly give him the title, which of course Fortescue always claims for himself. In the Introduction to *De Laudibus Legum Angliæ* he says: "Miles quidam grandævus prædicti Regis Angliæ Cancellarius, qui etiam sub hac clade exulabat, principem sic affatur;" and all through the book the dialogues are held between the "Chancellor" ("Cancellarius") and the Prince. Lord Campbell, in explanation, writes: "I suspect that he only had the titular office of Chancellor *in partibus*,

when he accompanied the young Prince, his pupil, as an exile to foreign climes, and that he never exercised the duties of the office in England." And again: "If the celebrated Sir John Fortescue, author of the admirable treatise, *De Laudibus Legum Angliæ*, ever was *de facto* Chancellor of England, and in the exercise of the duties of the office, it must have been now, after the second Battle of St. Alban's, and at the very conclusion of the reign of Henry VI.,"[1] that is to say, from February 17th till March 4th, 1464.

Curiously enough, this question, irrelevant though it may seem, was raised by Finch during the Ship-money trial in the reign of Charles I., when it was decided that Fortescue was *never* actually Chancellor of England.[2] Mr. Plummer, for his part, says: "Fortescue can never have been Chancellor in any effective sense. He cannot have had possession of the great seal in England. The seal which the Lancastrians used in exile must have been fabricated later. On the whole, I am inclined to think that Fortescue was only Chancellor *in partibus infidelium*." He considers Selden's comparison of the case of Clarendon under Charles II. before the Restoration a very happy one. Mr. Plummer brings forth, as "some slight confirmation of this view," that the claim to his having been Chancellor was first brought forward in the *De Laudibus*, whereas in the *De Naturâ Legis Naturæ* Fortescue never calls himself Chancellor, though he mentions the fact of his having been Chief Justice. It must be noted, in order to understand Mr. Plummer's point, that *De Naturâ Legis Naturæ* was written 1461—1463, while Fortescue was in Scotland, but the *De Laudibus* 1468—1470, and thus some years later, when the Lancastrian party had been in exile quite six years. To go into the matter thoroughly it is as well to follow Mr. Foss in his *Lives of the Judges*, as he has threshed out the matter minutely.

[1] Lord Campbell's *Lives of the Chancellors*.

[2] *State Trials*, iii. 1225.

Up till Easter, 1460, it is quite certain that Sir John Fortescue acted in the King's Bench. Three days before the Battle of Northampton, so disastrous to the Lancastrians, July 10th, 1460, the Chancellor Waynfleet, Bishop of Winchester, gave up the seals in the King's tent on the field. On the 25th they were given by the King to George Neville, Bishop of Exeter, son of the Earl of Salisbury, and brother to the Earl of Warwick. From the 7th till the date of the transference, the seals had been in the possession of Archbishop Bouchier, who merely seems to have retained them till they could be entrusted to a fit person of definite Yorkist leanings.

On June 9th, 1467, the seals were given to Bishop Stillington of Bath and Wells, and he held office for six years. During the six months of Henry's restoration to the throne—October, 1470, to April, 1471—we have evidence that Neville, then Archbishop of York, remained in his post as Chancellor.[1] Therefore Mr. Foss sums up with regard to Fortescue's assumption of the title, that it must have been purely *nominal* and given during the exile of Henry VI.

However, Lord Clermont, though admitting that as Henry's power to appoint so great an officer of State necessarily ceased on the proclamation of Edward to the throne, it is "highly probable" that Fortescue never received a "valid appointment," yet he urges "there was, however, a period of about four months from the battle of St. Alban's during which King Henry was in England and in possession of some, though but a small part, of his dominions; for he is charged in the Act of his Attainder with levying war in his own person against Edward in Durham on the 26th June, 1461, and here, as we have seen, Sir John Fortescue was with him. It seems very likely that one of his first acts upon regaining his freedom was to create a Chancellor, who, by sealing his writs with the great seal, could help to keep up the

[1] *Rymer*, xxi. 672.

appearance of kingly power when but little of its substance remained to him, and the very presence in his retinue of the famous Lord Chief Justice of England would in itself naturally suggest such an appointment. That Henry had a great seal after his expulsion we know from Queen Margaret's instructions to Ormonde in Portugal, where it is expressly mentioned. Thus Fortescue may well have been Henry's Chancellor in England and while there was still some part of the country which acknowledged his rule."[1]

Selden's remark on the subject in the preface to his edition of *De Laudibus* runs thus: "As to the promotion of Sir John Fortescue, there is no doubt but that he was Chancellor in some sort; but when or to what purpose, whether even during the actual reign of Henry VI., or so as to exercise his office in Westminster Hall, may be a question. He accompanied the King into Scotland, and then *or before in England* he might be made Chancellor, as Sir Edward Hyde was in the exile of Charles II."

This question is extremely important. Lord Clermont unhesitatingly gives Sir John Fortescue the title of Chancellor, which is also, of course, ascribed to him on his tomb in Ebrington Church, and, as has been said, *all old writers* call him "Chancellor." Indeed, we must note that though Lord Campbell dares not give Sir John Fortescue the unqualified title, yet he evidently gives him the benefit of the doubt; and Spelman, in his list of Chief Justices, under head "Jo. Fortescu," writes: "Notior in ore omnium nomine Cancellarii quam Justiciarii, diu tamen functus est hoc munere; illo vix aliquando. Constitui enim videtur Cancellarius, non nisi a victo et exulante apud Scotos Rege, Hen. 6, nec referri igitur in archiva regia ejus institutio, sed cognosci maxime e libelli sui ipsius inscriptione."[2] And under Spelman's *Series Cancellariorum*, he says: "Jo. Fortescue Justiciarius Banci Regii exulante Hen. 6 in

[1] Lord Clermont's *Sir John Fortescue and his Descendants*, Vol. I.

[2] *Glossarium Justiciarius.*

Scotia videtur ejus constitui Cancellarius eoque usus titulo; sed nulla de eo mentio in Rott. patentibus. Quidam uero contendunt eum non fuisse Cancellarium Regis sed filii ejus primogeniti; contrarium uero manifesti patet lib. suo de L. L. Ang. in introductione, ubi sic de se ait, Quidam Miles grandævus," &c.

Sir John Fortescue was a wealthy man. By his marriage with Isabella (or Elizabeth), heiress of John Jamyss, of Philip's Norton, near Bath, about 1436, he acquired, in 1441, lands and messuages by grant of the prior and convent of Hinton-Charterhouse to himself and his heirs for the rent of one mark annually, and the grant was confirmed by the Crown, 1443. He had received from his brother Henry part of his father's property in Devonshire (1435-6), which, however, Sir John made over to his son, soon after his marriage in 1454. In October, 1452, he purchased from Sir Robt. Corbet (the same who sold Ebrington later to him) Geddynghalle and other lands in Suffolk. In 1456 he purchased from Sir Robt. Corbet the reversion of the Manor of Ebrington, in Gloucestershire, for £151. At the time of his attainder, November, 1461, he had not come into possession of this estate. Mr. Plummer also tells us that Fortescue had become possessor of lands in Wilts, Herts, and Middlesex—how or when is not known. However, it is certain that on June 28th, 1468, Edward IV. granted to John, Lord Wenlok, lands, which had belonged to Sir John Fortescue, in the counties of Middlesex, Hertford, Somerset and Wilts, and the reversion of the Manor of Ebrington after the death of Jocosa Greville. Obviously the property alluded to in the county of Somerset would be that acquired through his wife at Philip's Norton. In May, 1457, in conjunction with his son Martin, and his wife Elizabeth, he acquired land at Efford, in the parish of Holberton in Devonshire. Added to which, he seems to have acted largely in the character of trustee or co-feoffee.

Although we especially consider the *Monarchia* or the

Governance of England, because it was (presumably) written at Ebrington (and Lord Clermont quite supports this theory), yet it is but fair to state that Mr. Plummer has some doubts on the subject. There are, he says, ten manuscripts extant. The cause of dispute is the passage at the end of chapter xix.: "I blissed be oure Lord God for that he hath sent King Edward the iiijth to reigne vpon us." In one manuscript this passage is mutulated; three stop before the xixth chapter; two have "Henry VI." for "Edward IV."; whilst another asserts that the treatise was "wrighten to King Henry the Sixt," but, nevertheless, reads "Edward IV." and not "Henry VI." in this passage.

It must here be observed that consensus of authoritative opinion maintains that the *Monarchia* WAS written towards the end of Fortescue's life, after the utter collapse of the Lancastrian cause, and when the old man, with reverence to the powers that be, set himself to draw up a treatise on Constitutional Government for Edward IV. Nevertheless, under the circumstances, it is but fair that the question should be shortly considered.

Lord Clermont, who maintains that the *Monarchia* was certainly written under Edward IV., brings forward two instances of internal evidence. In chapter ix. he finds allusions to the "War of the Public Weal" of 1465, as also to the death of James II. of Scotland, which took place in 1460. These references, of course, make it impossible that the treatise should have been written in the reign of Henry VI., which ended in 1461. Mr. Plummer, anxious to be strictly impartial, observes that yet the treatise might have been written for the Lancastrian restoration of 1470, and he has authority for insisting that some of the most striking suggestions (afterwards to be found in the *Monarchia*) were most certainly first brought forward by Fortescue for the restoration of 1470, for which event he had so long planned and prayed. However, Mr. Plummer is ready to agree that Lord Clermont's

argument has much weight when he urges that "this land," used of England in chapter x., proves that the treatise was written *after* Fortescue's return to his native land, and consequently after 1471 and at Ebrington.

In conclusion, Mr. Plummer sums up thus: (1) The *Monarchia* may have been written for the Lancastrian Restoration of 1470, and it may have been re-cast to suit Edward IV. (2) The *Monarchia* may have been written for Edward IV., and yet temporising scribes, writing under the Tudors, may have made slight alterations for expediency's sake, and he adds a note in which he shows by analogy that it was no uncommon thing for gross liberties to be taken with texts of manuscripts in early days. However, as has been said before, consensus of learned opinion has it that the *Monarchia* was Fortescue's last great intellectual effort; and Mr. Plummer, in spite of conscientious objections, is so far convinced in his own mind that he does not hesitate to place the production thereof, in his most reliable chronological table of *The Life, Times, and Writings of Sir John Fortescue*, between the dates 1471 and 1476, and thus at Ebrington, in Gloucestershire.

The *Governance of England* (otherwise the *Monarchia*) was first published in 1714 by Lord Fortescue of Credan. To appreciate fully Fortescue's position, it is necessary to consider something of the state of England at the time when he wrote. History explains much with regard to Fortescue's Constitutional theories, and in return, while throwing additional light on the subject, receives verification and additional significance from the evidence of a man of great insight and of extraordinarily wide experience.

Of the period, Dr. Stubbs writes: "Weak as is the 14th century, the 15th is weaker still—more futile, more bloody, more immoral."[1] Cade's proclamation, by the light of the *Paston Letters*, as well as by that of historical evidence, is but too true: "the law servyth of nowght ellys in thes days but for to do wrong, for nothing is sped almost but

[1] *Constitutional History*, Vol. II., § 298.

. . . for mede, deede, and favour, and so no remedy is had . . . in eny wyse"; and when Sir John Fortescue, with his customary optimism, says, with reference to the Judicial Bench, in *De Laudibus:* "Nec unquam compertum est eorum aliquem donis aut muneribus fuisse corruptum," Mr. Plummer says he must have been writing what he knew was untrue. It, indeed, seems to have been an age of gross corruption. A turbulent and over-powerful nobility dominated the Crown, which was weak through a somewhat questionable title, and, moreover, through great poverty. Fortescue, indeed, never seems to lose sight of these two evils, and again and again returns to grapple with them and to suggest how the King may be enriched above all the nobility, how the power of the "over-mighty" subject may be abased, how dangerous and prejudicial it is to the State that the subject should be "equepolent" to the King.

The Lancastrian period, indeed, presents much that is of interest to the student of English Constitutional history. "Never before, and never again for more than 200 years, were the Commons so strong as they were under Henry IV."[1] This popular movement we see, indeed, beginning in Edward III.'s reign, and in the doings of the "Good Parliament"; while the fact of English being used instead of Norman-French proves that the Commons were then recognised as something more than puppets. It has been observed that High Churchism and Constitutionalism were the very *raison d'être* of the Lancastrian dynasty. "The keynote of the Lancastrian policy was struck," writes Dr. Stubbs, "by Archbishop Arundel in the first Parliament of Henry IV., when he declared that Henry would be governed, not by his own 'singular opinion, but by common advice, counsel, and consent.'"[2] It is, indeed, impossible to enter into the subject at any length; but two more epigrammatic utterances will serve to elucidate

[1] Stubbs' *Constitutianal History*, Vol. III., § 320.

[2] *Constitutional History*, Vol. III., § 302.

matters—the one containing truth which no one grasped with more instinctive force than Sir John Fortescue: "Constitutional progress had outrun administrative order"[1]; and another, by Mr. Plummer, which contains the summary of the causes of the fall of the Lancastrians: "The change of dynasty was due not to the goodness of the Yorkist pedigree, but to the badness of the Lancastrian government."[2]

When Fortescue, at the age of eighty, took up his pen, in the seclusion of his country house, to write the Constitutional treatise which we have chosen to examine more minutely than the other works, the Lancastrian cause had sunk for ever.

Dr. Stubbs and Mr. Plummer rather differ in opinion with regard to Fortescue's position in his treatise. While Dr. Stubbs writes: "Taken altogether, his writings represent the view of the English Constitution which was adopted as the Lancastrian programme, and on which the Lancastrian kings had ruled,"[3] Mr. Plummer considers Fortescue's schemes of Government to have been far more progressive in tendency, and sums up thus: "I would rather say that Fortescue, while remaining true to the great Constitutional principles which he had previously enunciated, urges the King to avoid the main weaknesses of Lancastrian rule: its unsound finance, its subserviency to aristocratic influence, its lack of 'governance' and justice."[4]

This work has been called by various names: *The Difference between an Absolute and Limited Monarchy* (which is perhaps inadequate), the *Governance of the Kingdom of England*, *De Dominio Regali et Politico*, or, more shortly, the *Monarchia*. Mr. Plummer commends for its comprehension the summary prefixed to the Cambridge Manuscript, which runs thus:—"A Treatise intituled Jus Regale and Jus Politicum et Regale, comprehending for good Example memorable

[1] Stubbs, III., § 372.

[2] *Governance of England*, Introduction.

[3] *Constitutional History*, Vol. III., § 364.

[4] *Governance of England*, p. 87.

Councells of Estate Affaires, Namelie as touchinge the King's charges ordinary and extraordinary, Enlarginge of the Revenewes of the Crowne, disposeinge of Offices and Rewardes for Service, Ellecting of Councelloures, and the disposeinge and orderinge of all other affaires of the Kinge, Kingdome, and Court."

Comparing the relative merits of *De Laudibus* and the *Monarchia*, the writer of the article in the *Dictionary of National Biography* observes: "The historical interest of the latter is far higher. It is less loaded with barren speculations, and it shows a real insight into the failure of the Lancastrian experiment of government, while it is invaluable as the earliest of English Constitutional treatises." While Mr. Plummer, referring to Fortescue as a "Constitutional writer," says: "Fortescue, first of mediæval writers, brings down political philosophy from the clouds to earth by basing his theoretical analysis upon observation of existing Constitutions." And again: "The most valuable part of his speculations is derived from his own experience of the government of England, and on the basis of that experience he analyses the nature of Constitutional Monarchy."

There is much in the *Monarchia* that is noticeable: the calm, judicial tone: there seems no personal animosity, no bitterness, no word of rancour from the old man who had for so many years defended a losing cause. Optimism had always been a strong feature in Fortescue's character, and still at eighty years of age hope for a bright future runs through every page. He has accepted failure, and is now writing for a new king, and above all for the good of his country. He does not fabricate to himself an ideal Commonwealth, like so many political theorists of early days; his peculiar merit is, that he brings all the force of his intellect to grappling with existing difficulties and to suggesting remedies therefor. Animated only by pure love for his country, and with fervent zeal for the good thereof, he sets himself to draw up for the new line now established on the throne a treatise which shall guide the

bark of the State safely through the shoals which had wrecked the Lancastrians.

The immediate value of the *Monarchia* to us is, of course, the sidelight that it throws upon history. Fortescue is writing from personal experience, and such experience as few men have had. Indeed, it has been remarked that had Fortescue's literary talents but lain in the way of narrative, the dearth of historical record which so deeply obscures this period would indeed have been removed, and light thrown on many doubtful points. But peculiarly adapted by character, and by the circumstances under which he lived, to gain practical insight into the working of the 15th century Constitution, it is on his character as a practical political writer that Fortescue's value depends.

The first few chapters of the *Monarchia* are occupied with rather abstract speculations respecting Dominium Regale et Dominium Politicum et Regale, which need not detain us, and which have already been discussed in his other works from time to time. But we note that, with true statesmanlike instinct, Fortescue at once sets himself to grapple with finance. "The Harme that comyth off a Kynges Pouerte" heads a most interesting and instructive chapter. First, he begins by noticing some of the evils consequent on a poor king: he must borrow and then pay interest, "and thus be thereby alway porer and porer, as user and chevisaunce (loan) encressith the pouerte of hym that borowith." A poor king is insecure "for his subgettes woll rather goo with a lorde þat is riche, and mey pay thair wages and expenses, then with thair kynge þat hath noght in his purse, but thai most serue him, yf thai wil do so, at thair owne dispenses." Then a poor king will often have to reward by *grants of land*; "but the grettest harme that comyth of a kynges pouerte is, that he shal by necessite be arted to fynde *exquysite meanes* of geytinge of good." He ends the chapter with the significant words: "Hit nedith not now to specifie mo of the harmes wich comyth to a reaume bi the pouerte of þer kynge, how be it thai bith mony mo than we have shewid yet; for euery

wise man mey se ham openly i now. But we most holde it for undoubted, þat ther mey no reaume prospere, or be worshipfull, under a poure kynge."

Fortescue then considers the matter more particularly, and divides the King's expenses into "ordinarie" and "extraordinarie," heading the following chapter with the outspoken words: "Yf the Kynges Livelode suffice not, his subgettes aught to make hit sufficient"; and enforcing the mandate by Biblical quotations and the following assertion: "Ryght as every seruant owith to haue is sustenance off hym þat he serueth, so aught þe pope to be susteyned by the chirche, and the Kyng by his reaume." Fortescue, we must observe, was as good a Churchman as he was a loyal subject.

Fortescue next strikes at the great evil of his day, "The Perellis that mey come to the Kyng by ouer myghtye subgettes," and we must observe the circumspection with which he treats such a delicate subject, choosing his examples from France or Burgundy, or going back to the early history of our own land, as for instance to the rebellion of the reign of Henry III. He again traces the evil to *want of money*. "Then nedith it þat the kynges livelod, aboff such revenues as shalbe asseigned for his ordinarie charges, be gretter than the livelod of the grettest lord in Englande," and he ends up with the meaningful phrase, "For certanly ther mey no grettir perell growe to a prince, then to have a subgett equepolent to hymselff." This but leads up to practical suggestions, "how that the Crowne is best to be indowed?" with exemplifications from abroad as before. In this chapter we have the French and English contrasted, as ever to the discredit of the French, and how that the English live under a freer and more beneficial system.

The old cry that the King should live of his own is now taken up by Fortescue, who suggests: "Wherfore me thinkith, þat yff þe kynge myght have is livelod ffor the sustenance off his estate in grete lordshippes, maneres, ffee ffermys, and such other demaynes, his people not

charged, he shulde kepe to hym hollych thair hertes, excede in lordshippes all the lordes off his reaume, and ther shulde non off hem growe to be like unto hym, wich thynge is most to be fered off all þe worlde."

After proposing means by which alienated land may be re-appropriated by the Crown, Fortescue comes to a subject which he feels of deep importance. Possibly some adverse influence was working on King Edward, and the acute old lawyer, so versed in statecraft, was bringing forward from his store things new and old to withstand such subversive counsel. "O, howe unwyse is þe oppenyon off thes men; ffor it mey not be mayntened be any reason!" Evidently some one had suggested that poverty was conducive to the pacification of kingdoms, but at once Fortescue bursts forth in indignant rejection of such a theory. "Whan any rysinge hath be made in this londe be ffor theis dayis by commons, the pouerest men þeroff haue be þe grettest causers and doers therin. And thryfty men haue ben loth therto, ffor drede off lesynge off thair gode." And again: "Hit is the Kyngis honour, and also is office, to make is reaume rich; and it is dishonour whan he hath but a pouere reaume, off wich men woll say þat he reigneth but uppon beggers." And now a word of solemn warning to the King: "Yet it were moch gretter dishonour, yff he ffounde is reaume riche, and then made it pouere." The archers, too, how could they afford to "bie hem bowes, arroes, jakkes, or any oþer armour off defence, wherby thai myght be able to resiste owre enymes, when thai liste to come uppon us; wich thai mey do in every side, considerynge þat we be a Ilelond." The treatise is full of practical commonsense, and to be appreciated should be read. It is impossible in a small space to give more than a few headings, and to draw attention to a few prominent features.

Chapter xiii., though short, is very curious, and very far from complimentary to our neighbours across the Channel. "Only lak off harte and cowardisse kepen the

Ffrenchemen ffro rysynge." Fortescue had had only too good opportunity of studying the French character, and the French political system, during his long exile. The result seems to have been overwhelming contempt for everything French. The Chief Justice glories in the fact that "It hath ben offten tymes sene in Englande, þat iii. or iiij. theves ffor powerte have sett apon vj. or vij. trewe men, and robbed hem all. But it hath not bene sene in Ffraunce, þat vj. or vij. theves haue be hardy to robbe iij. or iiij. trewe men. Wherfore it is right selde þat Ffrenchmen be hanged ffor robbery, ffor thai haue no hartes to do so terable an acte. Ther bith therfore mo men hanged in Englande in a yere ffor robbery and manslaughter, than þer be hanged in Ffraunce ffor such maner of crime in vij. yeres." But this is a digression; and at once Fortescue turns back to the pressing question of the royal livelihood. A resumption of rewards (under certain conditions) he advises, and for the future the establishment of a council which shall decide on the question of grants and rewards to suitors. "And verely yff this ordre be kept, the kynge shalnot be greved be importunite of suytours, nor thai shall be importunite or brocage optayne any unreasonable desires."

But perhaps the most startling innovation that Fortescue brings forth is contained in the next chapter: "How the Kynge's Counsell may be chosen and estableshed." Anxious, in his visionary system, to free the King, once for all, from all trammels of great lords and great officials, he boldly suggests that the Council shall be composed of "xij. spirituell men and xij. temporell men off þe wysest and best disposed men þat can be ffounde;" that the Council furthermore shall be reinforced (mainly for appearance' sake, Mr. Plummer thinks) by four spiritual and four temporal lords, but that these shall only hold office by the year. When we reflect that, partly through definite policy and partly perhaps through the exigencies of a long minority, the near relatives of the King had for

long dominated the Council, the suggested change seems all the more revolutionary.

Mr. Plummer says this scheme really was put into practice during the Tudors, and he quotes Mr. Dicey, who writes: "England was governed, not through peers of ancient lineage, but through the Cromwells, the Sadlers, the Petres, and the Cecils, who constitute the glory of the Tudors' rule." The promotion of such men was a national blessing; but it increased immensely the power of the Crown, by undermining the independence of the Council."[1] Indeed, it is impossible to dwell on the various points of this far-reaching scheme of Fortescue, and to point out how far he anticipated Constitutional reform of a later date. Perhaps almost more historically interesting is the preceding part of the chapter, and the tale that it incidentally tells of the King's Council: "The Kyngis counsell was wonned to be chosen of grete princes, and off the gretteste lordes off þe lande, both spirituelles and temporellis, and also off oþer men that were in grete auctorite and offices. . . . Wherthrough, when thai come togedre, thai were so occupied with thair owne maters, and with the maters off thair kynne, seruantes, and tenantes, þat thai entendet but litle, and oþer while no thynge, to þe kynges maters." And again the pregnant words: "What lower man was þer sytinge in þat counsell, þat durste say ayen the openyon off any off the grete lordis?" Then corruption and undue influence were enhanced by the system. "And whi myght not then men make be meanes of corrupcion somme off the seruantes and counsellers off somme off the lordes to moue the lordes to parciallite . . .?" And another objection, in Fortescue's own words: "Then couude no mater treted in the counsell be kept prive." And once more: "How mey þe kyng be counselled to restrayne gyvinge a wey off his londe, off gyvinge off offices, corodeis, or pencions off abbeyis, by suche grete lordes to oþer menys seruantes, sithyn thay most desire such giftes ffor thaimselff, and thair seruantes"?

[1] Dicey, *Essay on the Privy Council*, p. 42.

Fortescue intends that his counsellors shall be *paid*, and also sworn in, like the Justices of the King's Bench and the Common Pleas. Throughout the few remaining chapters of the treatise we can easily see the main idea still occurs, and, indeed, is ever present in Fortescue's mind—that the King shall reign free from the influence of the over-mighty subject. To this end he advises on the bestowal of offices, how best to avoid accumulation of offices in one hand, and, moreover, that they should always be the direct gift of the Crown. The rest of the treatise, indeed, is in the same strain. To attempt an abstract that shall be at all adequate is hopeless; the treatise must be read to be appreciated. To sum up: "Punctual payment of salaries, strict limitation of the emolument of public officers to those salaries, estimates of expenditure, rigid appropriation of all public money to specific services, and the establishment of a Board of patronage, are most of them improvements of modern growth. . . . Even the great council which was to prepare bills for Parliament has found a sort of existence in the Cabinet, which has now reached the number that Fortescue assigned to it. When we reflect how long it has taken to build up our modern system of administration, it is instructive to know that its leading features were accurately sketched fully four centuries ago."[1]

Fortescue's works of known authenticity are these:—*De Titulo Edwardi Comitis Marchiæ*, "On the Title of the House of York." *Defensio Juris Domus Lancastriæ*, "A Defence of the House of Lancaster. *De Naturâ Legis Naturæ*. All the above, concerned with the Succession question, were written in Scotland, 1461—1463. *Declaration upon Certain Writings:* His retractation; written at Ebrington, 1471—1473. *Dialogue between Faith and Understanding;* written, probably, at Ebrington, 1471 (?). *De Laudibus Legum Angliæ:* His great work, written in Latin for Prince Edward; written in France, probably 1468—1470. *The Monarchia:* Political Treatise in English; written, doubtless, at Ebrington, 1471—1476.

[1] *Macmillan's Magazine*, January, 1897.

The following are works of doubtful authenticity:—*On the Commodities of England; The Twenty-two Righteousnesses Belonging to a King; Advice to Purchasers of Land.*

Three works now lost, attributed to Fortescue and mentioned by Lord Clermont, are as follows:—*A Genealogy of the House of Lancaster; A Genealogy of the Scottish Kings; A Book of Devotion.*

Also Stowe quotes from "Sir John Fortescute" in his *Annals*, p. 325b: "King Richard was imprisoned in Pomfrait Castle, where xv. dayes and nights they vexed him with continuall hunger, thirst and cold, and finally bereft him of his life, with such a kinde of death as never before that time was knowne in England." This has not been found in any extant writing of Sir John Fortescue.

The writer desires to express her obligation to the Rev. J. E. A. and Mrs. Fenwick, of Thirlestaine House, Cheltenham, for kind permission to consult Lord Clermont's *Works of Sir John Fortescue*, printed for private circulation in 1869; and also to the *Governance of England*, edited by the Rev. C. Plummer, M.A., of Corpus Christi College, Oxford. She has used both books freely, and has found them most helpful in her task of giving an account of the life and work of one of the greatest of Gloucestershire worthies. She is also indebted to Mr. Plummer for other kind help.

The following notice is taken from Bale's *Scriptorum Illustrium Majoris Britanniæ Summarium*:—

> "Foskevue *alias* Forteskevue ut Recordus[1] habet, juris peritissimus, primarius judex, et Angliæ Regni Cancellarius Summus, inter eruditos in nostro catalogo locum et doctis laboribus honorificum petit. Quem si illi negaremus ingrati merito appellaremur.
>
> "Excoluit tum juvenis, tum etiam senex, virtutem, literasque politas ut qui maxime semper amavit. Inter forenses Londini clarissimus juris civilis interpres admittebatur; ac nobiliores in schola juvenes, peculiares a regibus conditas leges perdocuit. Inde a gradu ad

[1] Robert Record, d. 1558.

gradum ascendit donec esset supremus Angliæ Cancellarius, quod munus in reipublicæ administratione et auctoritate, et dignitate, in eo regno longe maximum est.

"In quo officio tam candide se gessit ut justiciæ ac prudentiæ laus illi tribueretur summa.

"Quidquid dignitate valebat aut gratia apud Principem, id juvandæ reipublicæ totum impendisse fertur.

"In hoc zelo pietatis scripsit sub Henrico Sexto. Differentiam inter leges provinciales ac civiles, vel,

"*De Discrimine Legum*, Lib. I., seviente dudum in regno Angliæ.

"*De Laudibus Legum*, Lib. I.

"*De Politica Administratione*, Lib. I.

"*De Vigore Legis Naturalis*, Lib. I., aliaque nonulla. Tandem fuit exul ab Angliä. Et colligo illum claruisse circum tempus civilis belli quo Edwardiani cum Henricianis Anno Domini 1460, de imperii summâ pertinacis sime certabant. Exilii veras causas non legi."

RELEASE OF THE MANOR OF EBRINGTON.

December 5th, 1456.

"To alle men to whom this wrytyng shal come, Robt. Corbet, knyght, sende gretyng in oure Lord. Forasmuch as I have solde to Sir John Fortescu, knyght, in fee symple, the reversion of the Manour of Ebryghton, in the Counte of Gloucestre, with the apptenaunces, to be had after the decesse of Joyes, late the wif of John Grevyle, Esquier, for cli. pounds, to be payed to me in certayn fourme betwene vs accorded, by reason of which sale I have by my dede enrolled and subscribed with myne owne hande, graunted the same reversion to the said Sir John, and other named with hym, to his vse in fee by vertu of which the said Joyes hath attourned to the said Sir John; and also I have delyvered to the same Sir John alle the evydences whiche ever come to myne handes concernyng the said Manour; I wol and desire as welle the foresaid Joyes the abbot of Wynchecombe, and alle other personnes in whos handes the said Sir John or his heyres can wete or aspye any of the forsaid evydences to be kepte, to delyver the same

evydences to ham, for the right and title of the reversion of the said Manour is now clerely, trewly and lawefully in the said Sir John, his cofeoffees and theyre heyres, and from me and myne heyres for ever moore, and the said Manour, nor the reversion thereof was never tayled to me, nor none of myne Auncestres, but alway in vs hathe be possessed in fee symple, as far as ever I coude knowe, by any evydence or by any manner, sayyng by my trouthe. Wherfore I charge Robt. my sone and myne heyre, his issue, and alle thos that shal be myne heyres herafter, vppon my blessyng, that they never vexe, implede, ne greve the forsaid Sir John, his said cofeoffees, theyre heyres, nor assignees, for the forsaid Manour; and if they do, knowyng this my prohibicion, I wote wel they shal have the curse of God, for theyre wronge and owr trouthe, and also they shal have my curse. Witnysyng this my wrytyng vnder my seale, and subscribed with myne owne hande. Wreten the v. day of decembr, the yere of the reigne of Kyng Henry VI^to^ after the Conqueste XXXV^ti^.

Sir ROBERD CORBET, *Knyth.*

With regard to this document, Lord Campbell writes: "As he had been attainted by Act of Parliament, it was necessary that the attainder should be reversed by the same authority. He accordingly presented a petition for his restoration in blood, to which the Commons, the Lords, and the King assented, and which, according to the forms then prevailing, thus became a statute." Lord Campbell tells us that an "exemplification of it under the Great Seal of Edward IV. now lies before me, and I copy it for the curious in historical antiquities." The document is given in full as found in Lord Campbell's *Lives of the Chancellors.*

SIR JOHN FORTESCUE'S PETITION FOR RESTORATION, 1473.

"Edwardus dei gra. Rex Anglie, Francie, et Dominus Hibnie Omibz ad quos psentes lre prvint saltm. Inspeximz quandam petiõem in parliamento

nro apud Westm. sexto die Octobr. Anno regni nri duodecimo sumonito et tento et p. diusas progacoes vsqz ad et in sextum diem Octobr. Anno regni nri tciodecimo continuato et tunc tento nob. in eodem parliamento dco sexto die Octobr. dco Anno regni nri triodecimo p. Johen Fortescu Militem exhibitam in hec vba: To the kyng oure soureyne lord, In the moost humble wise sheweth vnto yor most noble grace, your humble subget and true liegeman, John Fortescue, kynght, which is and ever shalbe duryng his lyf yor true and faithfull subget and liegeman, soureigne lord by the gce. of God. Howe be it the same John is not of power, ne hauoir to doo your highness so goode suice as his hert and wille wold doo, for so moche as in your parlement holden at Westm. the iiijth day of November, the first yere of your most noble reigne, it was ordeyned, demed, and declared by auctorite of the same parlement, that the seid John, by the name of John Fortescu, knyght, among other psones shud stond and be conuicted and attaynted of high treason and forfeit to you, soureyn lord and your heires, all the castelles, manes, lordshippes, londes, tentes, rentes, suices, fees, advousons hereditamentes and possessions, with their appurtenances, which he had of estate of inheritance, or any other to his vse had the xxx. day of Decembr next afore the first yere of your moost noble reigne, or into which he or any other psone or psones, feoffes to the vse or behofe of the same John had the same xxx. day lawfully cause of entre within Englond, Irelond, Wales, or Cales, or the marches thereof as more at large is conteyned within the same acte or actes, pleas it your highnes, forasmoch as your seid suppliaunt is as repentaunt and sorrowfull as any creature may be, of all that which he hath doon and comitted to the displeasure of your highnes, contrie to his duetie and leigeaunce, and is and pseuantly shalbe to you, soueigne lord, true, feithfull, and humble subget and liegeman, in wille, worde, and dede, of your moost habundant grce, by thaduis and assent of the lordes spiell and temporell, and the coens in this your psent parlement assembled,

and by auctorite of the same, to enacte, ordeyne, and stablish that the seid acte and all actes of atteyndre or forfeiture made ayenst the same John and his feoffes, to the vse of the same John, in your seid parlement holden at Westm. the seid iiijth day of Novembr as ayenst them and euery of them, by what name or names the said John be named or called in the same acte or actes, of, in, or by reason of the pmisses, be vtterly voide and of noon effecte ne force. And that the same John nor his heires in no wise be purdiced or hurte by the same acte or actes made ayenst the same John: And that by the same auctorite your seid suppliaunt and his heires haue possede, joy, and inherite all man^{r} of possessions and hereditamentes in like man^{r} and fourme, and in as ample and large wise as the seid John shuld haue done if the same acte or actes neu^{r} had be made ayenst the same John: And that the seid John and his heires haue, hold, joy, and inherit all castelles, manes, lordshippes, londes, tentes, rentes, suices, fees, advousons, and all other hereditaments and possessions, with their appurtenances, which come or ought to haue come to yor handes by reason of the same acte or actes made ayenst the same John and feoffes to his vse: And vnto theym and eny of theym to entre, and theym to haue, joy, and possede in like man^{r}, fourme, and condicion, as the same John should haue had or doon if the same acte or actes neu^{r} had been made ayenst the seid John and his seid feoffees, to his vse, withoute suying theym or any of theym oute of your handes by peticion, lyne, or otherwise, by the course of your lawes. And that all hes pattentes made by your highnes to the seid John, or to any psone or or psones, of any of the pmisses be roide and of noon effecte, sauing to eny persone such title, right, and lawfull entre as they or any of theym had at the tyme of the seid acte or actes made ayenst the same John, or any tyme sith other then by means and vtue of oure lres patentes made sith the iiijth day of March, the first yere of your reigne, or any tyme sith: And that no psone or psones be empeched nor hurt of or for takying of any

issues or psittes, nor of any offenses doon in or of any of the pmisses afore the iijth of the moneth of Aprill, the xiij. yere of your reigne, or at any tyme sith the seid iiijth day of Marche by the seid John or any feoffes to his vse by wey of accion or otherwise. Provided alway, that no psone nor psones, atteynted, nor their heires, take, haue, or enjoy any advantage by this psent acte, but oonly the seid John and his heires in the pmises. And also the feoffes to the use of the seid John, oonly for and in the pmisses which the same feoffes had to the vse of the seid John, the seid xxx. day or any tyme sith. And your seid suppliaunt shall pray to God for the pseruacion of your moost roiall astate, considerying soueigne lord that your seid suppliaunt louyth so and tendrith the goode of your moost noble estate, that he late by large and clere writyng delyued unto your highness hath so declared all the mat^rs which were written in Scotland and elles where ayen your right or title, which writynges have in any wise comen unto his knowledge, or that he at any tyme hath be pryue unto theym: AND ALSO HATH SO CLERELY DISPROUED ALL THE ARGUMENTES THAT HAUE BE MADE AYEN THE SAME RIGHT AND TITLE, THAT NOWE THERE REMAYNETH NO COLOUR OR MAT^R OF ARGUMENT TO THE HURT OR INFAYME OF THE SAME RIGHT AND TITLE BY REASON OF ANY SUCH WRITYNG, BUT THE SAME RIGHT AND TITLE STONDEN NOWE THE MORE CLERE AND OPEN BY THAT ANY SUCH WRITYNGES HAVE BE MADE AYEN HEM. Inspeximus eciam quendam assensum eidem peticoi p coitates regni nri Angl. in dco parliamento existen scm, et in dca peticoe specificat, in hec verba a cest bille les coenz sout essentuz. Inspeximus insup. quandam responsionem eidem peticoi p nos de acusamento et assessu dnag. spualin. et temporalin. in deo parliamento similit. existen. ac Coitates pdee necnon auctoritate eiusdem parliamenti ftam et indorso eiusdem peticois insertam in hec verba soit fait come il est desire. Nos autem tenores peticois assensus et responsionis predic. ad requisicoem pfate Johis duximus exemplificand. p. psentes. In cuius rei testimoniu, has lras nras fieri

fecimus patentes. Teste me ipo apud Westm. quarto decimo die Februaij Anno regni nri quarto decimo.

GUNTHORP.

Ex^a p { JOHEM GUNTHORP, THOMAEN JVO, } *Cticos.*

In *Rot. Claus.*, 35 Hen. V., memb. 9, dorso, there is a release in Latin, evidently referred to in the previous document, dated 34 Hen. VI. (July 20th, 1456), by Sir Robert Corbet, of the reversion of the Manor of Ebrington to Sir John Fortescue and certain co-feoffees. As all the scanty records relating to Sir John's connection with Ebrington are of value to us, the following notice is taken from a footnote of Mr. Plummer's *Governance of England*, p. 43:—

"The inquisition taken at Cirencester November 4th, 1467, records the grant of the Manor of Ebrington to John Grevill, Esq., and his wife, Jocosa, for their lives, with remainder to Guy Corbet, of the county of Suffolk, and his heirs. John Grevill was dead, but his wife was still alive. By the death of Guy Corbet the right of reversion descended to Sir Robert Corbet, his son and heir, who had, by a fine levied before Prisot and other justices on the morrow of the Purification, February 3rd, 1456, granted it to John Fortescue, Kt., and the co-feoffees mentioned above; the grant being, as the jury affirmed, to the use of the said John Fortescue.

"On June 28th, 1468, Edward IV. granted to John, Lord Wenlok, certain lands which had belonged to Fortescue in the counties of Middlesex, Hertfort, Somerset, and Wilts, and the *reversion* of the Manor of Ebrington after the death of Jocosa Grevill." Mr. Plummer adds: "I cannot therefore understand the statement in Atkyns's *Gloucestershire*, p. 425 (copied by Rudder, p. 434, and Lord Clermont, p. 59), for which no authority is given, that in 7 Edward IV. the Manor of Ebrington was granted to Sir John Burg or Brug, who died seised of it in 11 Edward IV. (1471–2)."

THE GRAMMAR SCHOOL, CAMPDEN.

By FRANCIS B. OSBORNE.

THE history of Campden Grammar School from its foundation until its revival in 1628 is meagre in the extreme; there being no document in existence, so far as we know, to throw any light whatever upon its foundation or history for the first 140 years of its existence. The facts which are known relate entirely to the misuse of the property and lands with which the School was endowed; and these facts seem to be taken from the story of the Chancery suit, Hickes *v.* Davenport and Others, the Decree in which was made in the High Court of Chancery 9th June, 1627. The Decree itself and several interrogatories connected with the suit are to be found in the Record Office, but the pleadings are not, so far as I have been able to discover, now in existence; and the particulars of the suit, from which the history of the endowment, as we know it, appears to be taken, are to be found in the British Museum, vol. 227 of the *Lansdowne Manuscripts.* There seems to be no further evidence of the accepted date (1487) of the foundation than the passage in this document "about 140 years before that date," *i.e.* 1627.

There is documentary evidence of the existence of the School in 1546 and 1548. In each of these years commissioners were appointed by Act of Parliament for the survey of all colleges, chantries, free chapels, &c., and the Report of the Commission of Henry VIII. (1546) on this School reads as follows:—

CHANTRY CERTIFICATES, ROLL 21.

Certificate of John Carrell, Esq., and Others the King's Commissioners in Gloucestershire for the survey of "all chaunteries, hospitalls, collegies, fre chapples, brotherhedes, guyldes, & salaries of stipendarie

priestes" within the said county, according to certain articles dated 14 February, 37 Henry VIII.

31
The pishe of Cāpden within the Deanry aforesaid [*i.e.* Winchcombe]

FEREBY SVIS, otherwise callyd the Scolemaist^rs svys—founded and lands put in feoffment to fynde a preste for ev to kepe a Fre scole & to have for his salary by yere viii *li.* To kepe an obyt & to geve in almes yerely xl *s.*—FEREBY SERVIS ys within the said church. FEREBY SERVIS [is worth] xiii *li.* vj *s.* viij *d.*—WHEREOF. For the pretes stipende viii *li.*; for the poore folke xl *s.* = x *li.* And so remanyeth clere lxvj *s.* viii *d.* [No goods, plate, &c.]

The second Commission, that of Edward VI. (1548), reads as follows:—

CHANTRY CERTIFICATES, ROLL 22.

County of Gloucester, Certificate of Anthony Hungerford and Others, Commissioners appointed by Commission of 14 February, 2 Edward VI., for the Survey of "all colledges, chauntriez, free chappells & other like" within the said County.

57
In the Deanry of Campden. The pishe of Campden where are of houseling people vj^c

The SCOLEMAISTER Svyce al diet Ferbye Svyce.

This svyce ys lefte out in thother Ctificat.

Founded by one John Ferbye and Mgery his wiff and the lands putt in feoffment to thentente to fynde a priste to maynteigne a frescole in the said pishe of Campde for ever.

Sr Robert Glaseman incubent there of thage of liii yeres havyng no other lyving then in the seid svyce which ys yerely_____

The landf & tentf thereuto belonging are of the yerely value of xiij *li.* vj *s.* viij *d.* Whereof—In repses——and so remaneth clere by yere_____

Ornamentf plate & juellf to the same—Noone.

M̃d that there hathe byn tyme oute of mynde kepte wtin the seid psche a gram̃ schole freelie taught comenlie furnysshed wt the nombre of iij or iiij[xx][1] scolers, for mayntenaunce & kepinge whereof oon John Ferbye & M̃gery his wiffe gave & put in feoffment the moytie of a certeyne manor wt thapptences amountinge to the yerelie value of xiij li. vj s. viij d. wt wch yerlie rent comynge of the p̃misses the sed schole hathe byn always and yet is kepte and mayntigned accordinglie. The teacher having for his salayre sometymes x li. sometymes xij li. by-yere as his learnyng qualities & behavyor byn. The residue therof hath byn distributed and converted to the relevyng of poore people and in payeng a steward's fee of xx s. by-yere.

From the cancelling of this report by crosslines and the added memorandum, I infer, that the inhabitants were able to save the foundation from appropriation, by proving that the endowment was not left mainly, if at all, for a religious service, but for a school; and this view is strengthened by the absence from the Patent or Close Rolls of any record of a License in Mortmain for its foundation, which would have been necessary for the foundation of a chantry for a religious service only; neither does the Bishop's Register at Worcester contain a record of the institution of a chaplain to the chantry.

From the manuscript in the *Lansdowne Documents*, we learn that, in the Easter Term of 1626, Sir Baptist Hickes; Revd. Robt. Lilley, the vicar; Richd. Coleman and Jno. Higgins, Bailiffs; with Robt. Hiron and Thomas Harris; on behalf of themselves and 300 of the inhabitants of the parish "did exhibit their bill of complaint" in the High Court of Chancery, against Thos. Bason, *alias* Butcher the Elder; Thos. Bason, *alias* Butcher the Younger; Wm. Davenport, Jno. Gilby, Anthony Jarrett, and Anthony Bonner, Defendants; whereby they showed that, about 140 years before that date, John Varby, Gentleman, who

[1] NOTE.—*i.e.* 60 or 80, three or four score.

was born near the town of Campden, left lands in the parish of Lyneham, Oxfordshire, in one great close, called by the name of Fynnes Court, or some such name, for the building and founding of a free school, for the benefit of the town of Campden.

About fifty years before the date of the action the deeds of the property at Lyneham were, by trickery and deceit, got possession of by Thos. Bason or Butcher, and Christopher Jarrett, and under promise to restore them, from one Noble who held them on behalf of the feoffees, and who was both aged and blind. On gainiug possession they immediately took them to Sir Jas. Mervin, Knight, lord and owner of the moiety of the Manor of Lyneham; and, "in consideration of some great sum in hand," contracted with him for a lease of the lands, for 101 years, at the yearly rent of £20; and in the end of this lease, a power was given to Sir Jas., his executors or assigns, that "in the very last year of the lease he might grant new estates in the premises." The plaintiffs go on to say that "within a few years Sir Jas. cut down and sold more than £500 worth of timber," that even the £20 rent was not wholly spent to the advantage of the school, for the two defaulting trustees after paying the master a salary of £13 6s. 8d. a year, appropriated to themselves the remainder.

This Sir Jas. Mervin, after a few years, parted with his Manor of Lyneham, and his rights in the school property, to Sir Jno. Walter, Knight, Lord Chief Baron of the Exchequer; and the plaintiffs say that "to this Sir Jno. Walter the defendants Bason and Jarrett used means that he would purchase the reversion of the premises, and of the rents from them"; to the end, as they said, that they might with the purchase money procure some other land of greater value than £20 per annum for the benefit of the school and poor of Campden.

Sir Jno., desiring the good of the school, directed these feoffees to find out some land suitable, and to purchase the

same, with the money he was to give, for the reversion of the moiety of the Lyneham Manor. They fixed upon a piece of land of the value of £60 per annum at Barton on the Heath, or Barton Henmarsh, Warwickshire, the inheritance of one Wm. Bury: this was purchased by Sir Jno. Walter for £700, and then conveyed to the feoffees; but before a bargain so advantageous to the school was concluded, two of the defendants, Anthony Bonner and Anthony Jarrett, "being willing as others had been before them to enrich themselves" refused to assent, without some recompense for their goodwill and assent; and so they received the one £44 and the other £40 to relinquish their trust. Jarrett went further still, and would not consent to the perfecting of the said conveyance unless Bason and Davenport would engage themselves never to assent to make the Lord Nowell, Sir Chas. Morrison, Sir Baptist Hickes, Revd. Robt. Lillye, and Thos. Bonner of Bd. Campden feoffees of the lands; "they being men likely to be strict and to enquire into the bestowing of the profits" as well in the past as in the future.

Jarrett, not yet thinking himself safe, bound Bason the Younger, and Davenport, in a bond of £200 to enfeoff of the land purchased at Barton, "divers persons of his affinity and kindred, some of them young children who were not fit or capable to manage the estate or to control the others in misemploying the profits." This systematic plundering of the school lasted for nearly another thirty years, during all which time the income, now increased to £60, seems to have afforded no more than the £13 6s. 8d. for the master; and the school was "in great decay and disgrace by reason of the neglect of the feoffees." Davenport's defence was that he had spent the money in procuring a corporation for the town, for New Year's gifts given and other money to procure the same, and for loss of time spent about the town business, for building a bridge, and such like employment.

Such is the story of the fraud and deceit alluded to in the Latin inscription underneath the effigy of the founder, on

the old fireplace in the schoolroom, which effigy and inscription is said to have been placed there by Sir Baptist Hickes. The plaintiffs were able to prove their case, and gained a complete victory over the defendants, who were deprived of their position of feoffees; and a new indenture was ordered to be made, reconveying the land at Barton to a new list of feoffees. Their names were:—

Jno. Croker of Batsford
Wm. Child of Northwick
Hy. Jones of Chastleton
Jno. Keyte of Ebrington
} and six others.
Robert Lillye of Campden, Clerk.
Rd. Frewen, Chandler, Campden.
Trustram Warne, Yeoman.
Humphry Tainton, Hatter.
Thos. Harris of Bd. Campden.
Robt. Hiron, Yeoman of Westington.

Sir Baptist Hickes did not, unfortunately, live to take an active part in the management of the school he had done so much to save, dying in 1629, two years after the date of the Decree, whereas the first recorded meeting was held in 1631.

From this date we have a detailed account of all moneys received and expended. The memoranda or minutes of the meetings, on the other hand, are very few and meagre for the next 150 years, nothing scarcely being noted excepting the appointment of new trustees in the place of those deceased; even the appointment of a new master was not considered of sufficient importance to be always noted.

Immediately on the change of management, the master received what must have been a welcome addition of 50 per cent. to his salary, it being raised to £5 quarterly, and a year or two later to £6. The funds were also sufficient to spend a considerable amount in charity—apprentice fees, doles, allowances, and the purchase of garments for the poor and sick,—not omitting a handsome sum to the landlord of "The George" for refreshment for the feoffees

after the performance of their annual duty. This last item, in the course of years, grew beyond the consciences of some; for in 1793 a memorandum is made "that 20/- and no more be expended for refreshment in future." The account for the previous year was £3 10s. 6d.

Up to quite recent years—I think even in my recollection—it was the custom for the trustees present at the meeting to sign the book, and there are many quaint signatures or alternative marks. Some of the more interesting names up to 1700 are Nicholas and Thomas Overbury, Endymion Porter ("one of the groomes of H.M. bedchamber," Charles I.), Say and Sele, Gilbert Coventry, John Tracy, Jas. Thynne, Rd. Graves, Wm. Keyte, and Thos. Childe.

In addition to a master, the revived charity was able to support an usher, a charge of £2 10s. a quarter being paid as his salary. There must have been two classes of pupils; for in later years we learn that the usher's duties were strictly confined to the care of the charity children, who were to be taught grammar by him, and to be taken to church twice on Sunday. On one occasion he is ordered to appear before the trustees, and admonished "not to presume to instruct any others than the charity children."

For this reproof the master himself was no doubt to blame. The number of classical pupils was, probably, generally none—sometimes one, or maybe occasionally more; and the master holding in addition some neighbouring curacy or vicarage, he certainly did not encourage, if he did not actually discourage, the attendance of any scholar requiring his assistance. In this case, no doubt, the usher had been guilty of an act of good nature, prearranged between themselves for the relief of the master. The master's office seems to have been for many years more or less a sinecure; for inducements are constantly held out by the trustees, during the later part of the 18th century and the earlier part of the 19th, for the attendance of more of the better class of scholars.

One such memorandum says: "A proposition is to be

made at the next meeting that the master's salary shall be in future £30 if no boys are in attendance (£40 was being paid at the time), and that a sum of £10 additional be given when the first boy presents himself; and a further sum of £10 for the two next." This proposition was never carried; whether it was beaten by the diplomacy of the master, who at the same meeting made application for an increase of salary, I cannot say. Another memorandum says that "in order to encourage the placing of boys in the school" it was ordered that "6 Latin Grammars, 6 Vocabularies, and 1 Latin Dictionary be provided at the cost of the Trust."

The first minute of any business connected with the school itself appears in 1702, when it is ordered that "if any of the scholars be instrumental in penning the master out of the school, they shall from thenceforth be incapable of having any benefit by the said school."

In 1709 the financial position allowed of the purchase of the property at Gretton and Greet, another small farm of about sixty acres.

In 1811 the policy of the master to reduce his work to nothing, mentioned above, which had brought a reproof on the usher, seems to have stirred up the inhabitants; for a long case was stated for Counsel's opinion as to the interpretation of the terms parish, town, parishioners, etc., in the Decree of 1627. The master maintained that the benefits of the charity were strictly for the town proper, and did not include Berrington, Bd. Campden, Westington, etc., the adjacent hamlets, and he accordingly disqualified applicants from these districts.

The chief point in the Counsel's opinion (his name was Thos. Plumer) was that whereas by the deed the local feoffees were to be chosen from the *town and parish of Campden*, the benefits of the school were to be for the poor of the said *town of Chipping Campden*. On the whole Counsel favoured the master's view, but he thought it was a point of considerable doubt; the loss of the original

deed involving the question in much obscurity. The point was settled, two years later, by the feoffees passing a resolution that boys from the *parish at large* should be admitted under the same regulations as the free boys then in the school; since then nobody seems to have ventured to dispute the correctness of this view.

Another great benefactor to the school was Geo. Townshend, who, in his will dated 1683, left a messuage and lands called Little Aston Farm, in the parish of Cold Aston, to Pembroke College, Oxford, to provide for eight scholars: one of the first four of these to be chosen by the mayor and aldermen and chief schoolmaster of the chief school of Gloucester; one from Cheltenham school; one from Campden school, and one from Northleach school; the three last-named scholars to be chosen by "the respective chief schoolmasters, ministers and bailiffs or other chief officers of the three towns for the time being and in equality of voices, the said schoolmaster to have the casting voice."

These scholarships have for many years been of the value of £80 with rooms; but now, owing to alterations in other clauses of the will by the Charity Commissioners in 1898, the value will be, or is, still further increased. This increase of £82 4s. 6d. gross arises from the abolition of the lectureships in the churches of Uxbridge and Colnbrook as separate lectureships; in future the lecturers will be the respective vicars, and one-third of the previous emoluments belonging thereto is to be diverted to the Pembroke Scholarships.

I should much like to be able to procure a full and authentic list of the Townshend Scholars from this school (but so far have been unable), in order that their names might be suitably inscribed and placed upon the school walls. Only two are mentioned in the old book, which comes down to 1857, and beyond which I have not had opportunity of searching for the purposes of this paper; their names are Rice and John Hebsworth Matthews. One

other at least should have been mentioned before this date, the late Dean of Canterbury, Robert Payne Smith; it is he who, as Master Robert Smith (the minutes record), at Easter, 1836, received a grant of £5 from the trustees for his services as usher since the previous Christmas. Other scholars, I believe, have been the Rev. J. H. Worgan, the Rev. W. Sollis, and, in later years, Canon Scobell.

The number of headmasters from 1630 to 1889 is 19, the first one we know of (he who was in receipt of the salary of £13 6s. 8d.) being the Rev. Ambrose Jenks; followed by the Rev. Samuel Edwards and the Rev. — Kirkham. These three are not given in the lists previously published.

In 1862 to 1865 the sum of £1,800 was raised, for the most part by subscription, for enlarging and improving the school, and erecting a new house for the master. The old house stood behind the school, in the school yard; this was pulled down, and the two houses adjoining being purchased, they were removed, and the present house built on the site: Mr. Buckler, of Oxford, was the architect, and the Revd. Jas. Hamilton, Curate of Campden, was the energetic secretary to the Building Committee. This must have been a very great undertaking for so small a community; and when giving up his office at the close of the work, Mr. Hamilton speaks of it as "the happiest but most laborious undertaking of his life." On his death, some three or more years ago, I received from his son a large parcel of documents containing every possible item of information connected with the rebuilding, in the form of letters, lists of subscriptions, minutes of the meetings, and the accounts from the beginning of the work to the end; amongst them is one from Dr. Hiron, the Headmaster at the time, saying that when removing the old property an old door of communication was discovered between the school and the acquired property, and suggesting that the property had, at some time or other, previously belonged to the school.

All the present buildings, with the exception of the old

schoolroom and the school passage, date from this time, and in the schoolroom itself a stone floor was removed and the present oak one substituted, while the ceiling was raised some two feet. But all the alterations in the old room were certainly not improvements; the present match-boarding and deal desks must have looked poor substitutes for the old 6 ft. or 7 ft. high wainscoting and oak desks, which they displaced: their life, however, as well as that of the floor, is now practically closed, and we are face to face with the necessity of renewing all the woodwork, the floor as well as the furniture, with something stronger, and, in the case of the furniture, more in character, I hope, than the last; these times of reduced rents will, however, make this, I am afraid, a serious undertaking.

No other change in the life of the school took place until 1891, when the new scheme of the Charity Commissioners came into force; and soon after, by the kind munificence of the late lamented Canon Bourne (who died on January 30th last, and who for nearly fifty years was trustee of, and a friend and benefactor to, the school), and by his influence with the County Council, some £600 or £700 was spent in purchasing the "King's Arms" Inn, and in replanning it into the present Technical School; thus providing us with laboratory, workshops, and lecture-room to keep abreast with the requirements of a well-equipped secondary school of the present day.

I must now close my paper on the Campden Grammar School, regretting for your sakes that its history does not seem to have provided many incidents which can be of very profound interest to the world beyond our own parish boundaries; but in spite of its perhaps very much limited sphere of usefulness, owing to the ravages and depredations on the estate during the 16th century, I hope that the inhabitants of the *town and parish at large* may ever have cause of thankfulness to the founder for the remnant that is left to them, and may always consider the names of Fereby and Hicks as honoured household words.

HERALDRY IN RED LODGE, BRISTOL.

By F. WERE

Sir John Maclean has given a capital account of Sir John Yonge, his family, and the Lodge, together with "the grand display of armoury," in the *Transactions of the Bristol and Gloucestershire Archæological Society*, vol. xv., 227-45; and although I am not able to identify the Yonge quarterings any more than he was, yet I can give them as at present with a few notes, and also give the Wadham quarterings more correctly. Over the fireplace, on a shield with the crest defaced, projecting very much from the rest of the mantel, which also contains several emblematic medallions, are the quarterings of Yonge. 1 and 6: "Lozengy gules and argent [Sir J. M., arg. & gu.], on a bend azure two Ibex heads erased or," Yonge. 2: "Gules two bars dancettée argent." Sir J. M., Papworth, and Armory give the family to whom this coat belongs as Asmant. 3: "Azure a chevron argent [Sir J. M., 'or'] between three leaves or," *query*. 4: "Azure three fishes naiant in pale or, in chief a beast passant brown face and feet of the second," *query*. 5: "Argent a chevron gules between three birds heads erased or," *query*.

As regards 1 and 6, the only other rendering of the Yonge quarterings that I have come across is in St. Mary's, Taunton, where, unfortunately, it is very difficult to read them owing to their decay, but they are worth noting, of course there are defaced portions lying about Bristol Cathedral, but not a whole shield as in the Lodge; the one in St. Mary's, Taunton, is dated 1631, and is in memory of Frances, daughter of Henry Cornish, whose

wife was Margaret, sister of Sir John Younge, of Bristol; this second marriage of hers is not mentioned by Sir John Maclean on p. 245 in his pedigree, and why it was here at all seems difficult to understand, as Frances was the wife of William Lechland; there the Yonge coat was: "Lozengy sable and argent" and "the Ibex heads azure on a bend or." In Berry's plates, on the shield of Sir John Palmer Acland is the quartering of Alice, aunt of Sir John Yonge, brought in by the Malets; but there it reads: "Fusilly vert and argent on a bend azure three Ibex heads erased or." There is no doubt that with Sir J. Yonge's great-grandfather came in the heiress of Burton, Bailiff of Bristol 1416, and this ought to be one of the quarterings, which possibly might have been "a chevron between three owls crowned"; but it is scarcely reasonable to think that number 3 is a perversion of this. Number 2 in St. Mary's Taunton, I read as "? Azure" "two bars dancetty or"; this would be the de la Rivere of Berks, in which county the Yonge family resided. Number 3 in St. Mary's, Taunton, I read as "? Vert a chevron between three ? garbs or"; whether this could be intended for Trelawney it is impossible to say. Number 4 in St. Mary's, Taunton, reads: "Gules three fishes naiant in pale ? or, on a chief ? azure a ? lion passent argent;" the difference in the field here from the one in the Lodge is not, I think, the difficulty about the coat, but it proves that this coat in the Lodge has been wrongly repainted, as I could distinctly see the party line of the "chief" covered over with the "azure"; therefore both coats had a "chief azure" on which is a beast passant. Sir J. Maclean says "an otter," but it had a boar's tail, so I am inclined to read it as a "boar passant argent langued and unguled or"; not that this helps towards finding the family, but only towards its correct reading. Number 5: "Ar three birds' heads erased," according to Sir J. Maclean; but the coat as in the Lodge now is false, the ? eagles' heads being "or" on the argent field. The St. Mary's, Taunton, one reads: "Gules a chevron between

three ? eagles' heads or." This, which belongs to the family of Gedding, of Suffolk, is not proved in any pedigree of Yonge, and, as a rule, when the family coat begins and ends the quarterings, the latter are always in the family.

Over the shield is an esquire's helmet, and on the wreath a defaced crest, which was an Ibex head as in the arms. This shows that the mantelpiece was erected before Sir John Yonge, if he did so, was knighted, or else by one of his family. Sir J. Maclean says below the quarterings given on p. 237: "These were not allowed to Young at the visitation of Somerset in 1623." There is no note about this in the *Harleian 1623 Visitation*; but a "George Younge miles" appears in the notes, p. 140, under Keynsham Hundred, who is not mentioned in Sir J. Maclean's pedigree; he is likely to have been either brother or son of Sir John Yonge, unless his Christian name has been given wrongly in either the pedigree or the note; however, the monument in St. Mary's, Taunton, proves that these quarterings were used as late as 1631.

On the side of the porch adjoining the fireplace is a carved wooden shield untinctured. 1: "(Gules) a chevron between three roses (argent seeded or)," WADHAM. 2: "(Or) on a chevron (gules) three martlets (may be argent or of the first)," CHESILDON. William Wadham married Margaret, daughter and co-heir of William [Weaver's *Vis. Somerset*, p. 84] John, of Holcombe Rogus (Pole, 208), Chishelden." 3: "(Argent) on a chief (gules) two stags' heads cabossed (or)," POPHAM. Sir John Wadham, of Merefield, Somerset, married Elizabeth, daughter and heir of Sir Stephen Popham. 4: "(Gules) a chevron (argent, may be ermine) between nine bezants 5 and 4," ZOUCH. Sir J. Maclean says St. Martin. It is a quartering of St. Martin, but I have not been able to find the marriage. 5: "(Sable) six lions rampant, 3, 2, 1 (or)," ST. MARTIN. Sir John Popham married Sybil, daughter and heir of Sir Lawrence St. Martin. Sir J. Maclean has lost the order of the quarterings here. 6: "Plain bend." Sir J. Maclean says, "Per fess

indented"; Collinson, "A chief indented"; really, "Per chief indented vert and argent, over all a bend gules," NEVILL. Jordan St. Martin married Jone, daughter and heir of Walter Nevill, by Isabella Walrand. 7: "An eagle"; really, "Barry of six or and azure, over all an eagle displayed gules," WALROND. 8: "A lion rampant." Collinson, I. 9, says, "Per pale azure a lion rampant or and gules." This is only half a reading, the true one being, "Per pale wavy azure and argent a lion rampant, also per pale wavy or and gules," LORTY. Sir Lawrence St. Martin married Cicely, daughter and co-heir of Sir John Lorty. Sir J. Maclean has read this differently. 9: "(Gules) a bend lozengy (ermine)," REDE or READE. Sir Stephen Popham married Margaret, daughter and heir of Nicholas Read. Several of these coats would make it appear that this shield was intended to be painted.

Impaling, 1 and 6: "(Argent) a chevron between three escallops (sable)," TREGARTHIAN. John Wadham, of Edge, Devon, married Joan, daughtər and co-heir of John Tregarthian. 2: Collinson says, "Gules a lion rampant between seven escallops or"; really, "Azure a lion rampant within orle of escallops or," HENDER. Weaver's *Som. Vis.*, p. 84, says: "Thomas Tregarthin married Margaret, daughter and heir of Thomas Hendure, by Katherine, daughter and heir of Robert Chamberlayne." 3: "(Argent) a lion rampant (gules) within a bordure really engrailed (sable) bezanty in chief a label of three points," CORNWALL. David Hcnder married Isabel, daughter and heir of John Cornwall. 4: "(Argent) on a bend [Collinson says gules, but *Harleian Cornwall Vis.* says] (sable) five plates," CHAMBERLAYNE (*see* 2 before). 5: "(Argent) on a chevron (gules) three fleurs de lys (or)," PEVER. The Grenville frontispiece, of which this is the last of the quarterings in the *Cornwall Harleian Vis.*, says the "fleurs" are argent. I cannot help thinking that this is really the coat of Madoc Ap Hendwr, come in with the Henders. Crest: On esquire's helmet, what ought to be "the scalp of a buck (or), and between

the attires a rose (argent)"; but it looked more like a stag's or antelope's head.

This shield is, then, the coat of John Wadham, of Edge, Devon, who married Joan Tregarthian, and was the father of Joan who married Sir John Yonge, which marriage is represented on another untinctured shield over the porch door; viz., as the 1 and 6 before for YONGE, impaling the 1 of the second shield, WADHAM, with the perfect crest of Yonge.

AUST AND WICLIF.

By JAMES BAKER, F.R.Hist.S.

THE tiny and scattered village of Aust is a spot singularly full of interest to the geologist, naturalist, and historian; and it is a spot in which the archæologist can well linger, although man has not so well preserved the monuments of his history as Nature has preserved her history's story in the stratified cliffs and famous bone bed.

But, standing close to those cliffs on the solid remnants of the Old Passage Pier, now torn and broken in great fragments by the swift rush of the Severn tide, one can look across to the Welsh hills and picture scenes in Britain's history from Roman and pre-Roman days. The learned prelate Dr. Forrest Browne and Mr. C. S. Taylor have dwelt fully upon one of these scenes: that, whether it happened exactly at Aust, or further inland, at least gives us a picture of those early days; but if Aust has long held claim to being the spot in England where Rome attempted to sway and become the overlord of the British Church, so also is it the spot claiming to have had in its midst the first English teacher who, after centuries of Rome's overlordship, had the temerity to teach the English folk there was a higher authority than Rome.

But we seem to have met to-day to prove a series of negatives. Dr. Forrest Browne has proved that Aust was not the place where St. Augustine met the British bishops, and I am afraid I must prove that the cherished tradition that Wiclif preached in Aust Church and sat in a chair still preserved in that church is hardly tenable. The church itself—that will, nevertheless, ever be linked with Wiclif's name—is an interesting one; of Perpendicular architecture without aisles, consisting of a long narrow nave lit by deeply moulded Perpendicular windows; a chancel, the floor of

which has been raised, with a good east window with modern glass put in by Mr. Richard Cann. A square-headed piscina in the south wall, only about eighteen inches from the pavement, and the lowness of the priest's door in the south wall, prove the raising of the chancel floor. The fine oak roof, supported by stone corbels with figures and angels, was discovered under a plaster roof, and has been restored, much of the old timbers and some of the stone corbels being preserved. A monument in the north wall of the chancel to Sir Samuel Astrey, Knigth, 1704, tells of the sway of his family, that locally are said to have given their name to the place; but as the Rev. Mr. Turner, the present curate-in-charge, states, Aust was known long before the Astreys.

In the chancel is preserved the old oak chair that is said to have been Wiclif's chair; but, alas! Wiclif died in 1384, and the ornamentation of this chair is classical, with volute and scrolls, and arches and a rose, proving distinctly that either there was an early Jacobean artist in wood living in the fourteenth century, or that Wiclif never sat in this chair. On the modern bench-ends a J. W. has been carved to commemorate Wiclif's connection with this church, for he had a connection with it though a shadowy one.

From the exterior the church is a handsome building, and the yew-tree walk leading up to it is picturesque. The tower is especially good, embattled and pinnacled with richly moulded windows, and with pretty little circular windows with flamboyant mouldings inserted in the octagonal tourelle on the south side. The grotesque gurgoyles on the tower are quaint.

The font has a quatre feuille moulding, and rests on a central round pillar, with eight slight ornamented pillars round it. It is curious how all writers on the village have avoided stating the date of the building of the church. Atkyns, Rudder, Bigland, down to the guide books of our own day, all are one in agreeing most indefinitely that the church is old or ancient. *Bristol and its Environs* says "Aust has an ancient church." Neither our own *Transactions* nor

the *Archæological Journal* nor the British Archæological Association's *Transactions* give the date, and on my two visits there I was unable to find the date from local inhabitants; but on writing to the Rev. A. Turner, the curate of Aust, he most kindly sent me a most lengthy reply, in which he deprecates the loose talk about the church, and the name being said to be derived from the Astreys. He agrees with me as to the evidence of the chancel floor being raised, but he cannot give me the date of the building of the church.

Canon Way writes of Aust Church that: "It is a chapelry of Henbury, and in a document dated 1462 the Vicar of Henbury is desired by the Bishop of Worcester to keep a chaplain there. We have never been able to tell to whom it is dedicated or any history of its building. The chancel is probably modern. The font is very interesting; in 1866, when the centuries of plaster, paint, and dirt were picked out, its present beautiful proportion and work came to light. I have the registers here from 1533."

In fact, the church is a most interesting problem, and a careful study of tower, buttresses, doors and windows should be made to at least approximate its date of building more exactly. The existing registers only go back to 1538 or 1533, but in *Domesday* it is stated that "Turstin, the son of Rolf, held five hides in Austreclive, a part of the manor of Huesberie, in the reign of King William."[1] But I have not to deal with Aust in those middle ages, between St. Austin's days and the later days of Wiclif; but to sketch how Wiclif's name became linked with Aust, and why it appears fairly certain he never was there.

In 1363 John Wiclif was Rector of Fylingham, in 1368 he exchanged this for Ludgershall in Buckinghamshire, and again he exchanged this benefice for that of Lutterworth in 1374; and during the whole of this time he was an irregular resident at Oxford, renting rooms in Queen's in the years 1363 to 1365, 1374 and 1375, and 1380. And we know how

[1] That a church existed at Aust about 1100 seems clear from what is stated on page 163 of this volume; but there is nothing now at Aust of so early a date.—ED.

hotly he was defended by the University of Oxford against Rome's attempt to secure his person.

Shortly after his presentation to Lutterworth he obtained from the Pope a grant of a prebend at Aust. I quote here from Lechler: "A place romantically situated on the south (*sic*) bank of the Severn, and connected with the endowed Church of Westbury, near Bristol. It was not a parish church, but a chapel. The prebend was evidently regarded as a sinecure, a place of honour, the holder being at liberty to appoint a substitute to read the masses required by the foundation. Wiclif seems, however, to have resigned the prebend immediately after obtaining it." Sergeant in his life of Wiclif says "he declined this prebend," but apparently only making this statement, on the fact that another was appointed to it; for in November of the same year (1375), as appears from an entry in the Rolls of Chancery, the prebend was bestowed on a certain Robert of Farrington. Wiclif had also resigned the charge at Ludgershall in 1376, for a William Newbold is mentioned in that year as holding it. So John Wiclif was no pluralist, although such a person as William of Wykeham held twelve livings—in addition to being the King's secretary, which prevented his seeing either of his twelve benefices. And yet Wiclif was granted a special license from the Pope to be a pluralist, for in January, 1373. he is spoken of as a canon, not yet a prebendary, of Lincoln, and is licensed by the Pope to keep the Westbury prebend, even after he should have obtained the prebend of Lincoln, No record of Wiclif's institution to the Aust prebend can be found in the diocesan registers at Worcester.

This special patronage of Wiclif by the Pope, Gregory XI., is interesting, for in the year 1374 he was one of the Commoners sent to treat with the Papal representatives at Bruges; but, like Luther, the more closely Wiclif knew Rome, the more sturdily he combated its influence; for two years after, in 1376, we read in the quaint language of *Capgrave's Chronicles*:—"In this tyme on John Wiclef, Maystir of Oxenforth, held many strange opiniones:—That

the Church of Rome is not hed of alle Cherchis. That Peter had no more auctorite thaune the othir aposteles: ne the Pope no more power than another priest. . . . And that no reules mad be Augustin, Benet, Fraunceys, adde no more perfeccion over the Gospel than doth lym whiting onto a coal; and that bischoppe's schuld have no prisoners; and many other things. Upon these matteres the Pope sent a bulle to the Archbishop of Canterbury and of London that they schuld areste the same Wiclef and make him to abjure these seide opiniones."

That Wiclif's work had penetrated the lives of common folk in Gloucestershire, we glean from a curious fact quoted in our own *Transactions*: but how fully the whole of England was influenced and excited in this Oxford movement may be best gleaned from the popular ballads of the days; ballads sung and recited at market and fair, as one sees and hears to-day historical and religious stories and ballads recited or sung in the streets and markets in Sicily and Spain. One of the quaintest of these poems is that of "Jacke Upland's" invective against the friars, printed in *Capgrave's Chronicles*. Let me quote two verses to prove what the English folk thought in and about Aust in the 14th century:—

"Why buy ye so precious clothes,
sith no man seeketh such
but for vaine glorie:
As Saint Gregorie sayth:
What betokeneth your great hood,
your scaplerie,
Your knotted girdle
And your wide cope?

Why make ye men believe,
that your golden trentall sung of you,
to take therefor ten shillings,
or at least five shillings,
will bring souls out of hell
or out of purgatorie.
If this be soothe, certes,
Yee might bring all soules out of paine
And that wol ye nought
And then ye be out of charitie."

And to these outspoken words came as outspoken from their opponents, for in the Friar Daw Topias's answer to "Jack" is the following designation of Wiclif:—

> "The thridde angel sent down
> A sterre from heven;
> bremli brennynge as a bround:
> wermode it was callid,
> wermode Jack most verreli
> was Wiclif your maister."

These two quotations give a vivid picture of the controversies of the period immediately after the date when Wiclif's name was linked with Aust. There are many interesting notes on Aust in our own *Transactions*, notably in vol. xviii., the Rev. C. S. Taylor's references to it in a paper on the "Domesday hide of Gloucester"; but perhaps I may be allowed to doubt the fact stated by the late Mr. John Taylor in volume viii., that "the conversion of the popular mind towards their views was of slow process." In those days of but horse and foot travel, it encompassed England in a marvellously quick period, especially when one considers the penalty for thinking in those days shortly became burning. How Wiclif's work clung to Gloucestershire is exemplified in a quaint quotation from John Smyth's *Lives of the Berkeleys*, given in this same volume viii. of our *Transactions*.

Wiclif's personal presence here in Aust seems to be unproveable. But if it is difficult to prove the direct influence of Wiclif in the district immediately around our present meeting, it will not perhaps be out of place before concluding to remind our members that a corner of Gloucestershire visited in 1895 has the honour of having had transcribed there some of the treatises of Wiclif, that travelled from our Gloucestershire village far away into Bohemia, carried there by some of the Bohemians who thronged to Oxford when their Princess Anne was wife to our Richard the Second. In volume xix. of our *Transactions* may be seen a note upon this, stating that at the end of the second chapter of *De Ecclesia* is a note stating "Kemerton psano," and Professor Morfil, of Oxford, writes:—"Psano is the past participle passive of the

verb psati, to write It is quite correct Czech. There are many inscriptions in that language on the treatises of Wiclif, because they were copied by Bohemian scholars in England. You must remember that there were many Bohemian students at the University of Oxford; no doubt they came from the influence of Anne of Bohemia, wife of Richard the Second. There are many inscriptions I have translated for Mr. Poole. I suppose the inscription is *psano v K.—i.e.* written at Kemerton."

But what Czech scholar could have been staying in Gloucestershire in those days transcribing *De Ecclesia*? The Rev. Jerome Mercier, in his paper on "Kemerton," suggests it was the famous Nicholas Faulfisch, and he repeats the absurd Gasgoigne libel of one Peter Payne stealing the University seal. Mr. Mercier did not go to Bohemia for his facts, or I feel sure he would not have repeated that vilification that has lived 500 years, and that I have tried to slay. But that has nought to do with our subject to-day, and I only make this reference to it to show how Wiclif's influence was felt in Gloucestershire. This translation was made in 1407, and, in spite of Mr. John Taylor's assertion, we know Wiclif's teaching flamed swiftly throughout England.

In a review of the English Church in the 14th and 15th centuries, in volume xxii. of our *Transactions*, the Editor says:—"No reason is given for the power of the (Wiclif) movement in this district, and the origin and nature of the connection of Wiclif's influence with Bristol and Gloucestershire have yet to be worked out." I do not think we need look for any direct personal influence; all England was keenly alive, from peasant to baron, to this new soul freedom; but if we can discover, as the Vicar of Kemerton discovered, that intimate friends or disciples of Wiclif were working to spread their Master's teaching among the Gloucestershire folk, we shall have done good work in history. Perhaps even this slight paper may set some of our members at work on the subject in the parish registers or records.

BRISTOL ARCHÆOLOGICAL NOTES FOR 1901.

II.

By JOHN E. PRITCHARD, F.S.A.,
Honorary Secretary for Bristol.

"The leading object and intent of Archæology is MAN, and man's ways and works. . . . He has everywhere left scattered behind and around him innumerable relics, forming so many permanent impressions and evidences of his march and progress. These impressions and evidences the Antiquary searches for and studies."

THE demolition of the remaining portion of the Norman walling near the Pithay slope, upon the site of Messrs. Fry's new factory, which had not been removed by the end of 1900,[1] was recommenced at the opening of the year, and by the end of January this section of that great work of defence had been totally cleared. (Plate 1.)

As the wall did not run on to a definite termination, there is no hope now of fixing the exact position of the Upper Pithay Gateway, which must have been somewhere near this spot.

The entire stretch of these massive foundations actually destroyed, from St. John's slope to the Pithay slope, comprised about 370 feet, and included the crumbling base of the Tower to which Seyer refers to as a well tower.[2] He says:—

"A short distance before you come to St. John's churchyard is still to be seen a semi-circular tower (but mutilated) projecting outward from the wall, and now forming part of a house in Tower Lane, probably so called from this very tower. The stone of division

[1] See *Transactions*, vol. xxiii., p. 264.

[2] Seyer (Rev. S.), *Memoirs of Bristol*, 1821, vol. i., p. 266, Sec. 70.

SECTION OF NORMAN WALL
BETWEEN THE PITHAY AND ST. JOHN'S SLOPE.

PORTION OF NORMAN WALL BETWEEN THE PITHAY AND ST. JOHN'S SLOPE.

between St. John's and Christ-church parishes is fixed in the wall of the tower, by which circumstance it may easily be found. Within this tower is a deep well, for the security of which, perhaps, the tower was built. The well lies under the front shop, close to the town wall, which is even hollowed out, in a small degree, to make room for it. A former possessor about sixty or seventy years ago, after clearing it out to a considerable depth, came to a wooden floor, which he was unwilling to disturb, and therefore covered up the well."

But the tower[1] has now been examined very carefully to the lowest foundations, and no traces of a well, or of any water supply, could be found. Two deep wells,[2] however, exist without the wall, and these, doubtless, were sunk for the supply of the city; in one of them some octagonal wood piping was found. The correct line of the wall between the points referred to, however, in many places is fully 12 feet farther north-east than that marked on the Ordnance Map of Bristol.

All traces of the original height of the wall must have long disappeared, probably since the last dwellings were erected upon the line of what is known to us as Tower Lane. Externally the masonry was found to be carried down to a considerably greater depth in some places than others, the extreme outer portion always resting upon the red sandstone foundation, whilst the inner face was built against the mass of red marl. (Plate 2.) There was evidently a ditch below the wall at this spot, and the land beyond sloped down to the winding waters of the Frome, where the outer wall of defence was erected. It is well to note that the local firestone had been used

[1] The diameter of this tower was 23 ft. 6 ins.

[2] The nearest well, 8 feet distant, is 3 feet 6 inches diameter and has a depth of 65 feet; and the other, 15 feet off, is 6 feet across and 120 feet deep: neither was connected with the tower.

throughout, in building, and the wall was not "faced" on either side.

Now, the matter for greatest regret in connection with these important excavations is that not a single specimen of either Saxon or Norman coinage has been brought to light, by which it had been hoped that some evidence might have been thrown upon the probable date of the building of the wall. But various other items have "turned up" during the year, the majority from what can only be termed as rubbish pits within the space still being excavated, which it may be interesting to describe in detail.

COINS AND TOKENS.

SQUARE FARTHING OF BRISTOL, 16th Century, found in the angle of the Norman walling and the Pithay slope, without the wall, on January 1st. This is the only specimen I know of having come from *dry* excavations: all others discovered during the past quarter of a century having been "dredged up" from the Harbour.[1]

Obv.: C.B. (Civitas Bristol.)

Rev.: The arms of Bristol within a circle, a ship issuing from a castle to the right.

NUREMBERG COUNTER, in imitation of a shilling of Charles II., date about 1675.

Obv.: CAROLVS DEI GRATIA, bust of Charles II. to right.

Rev.: AZA. GOTTL. LAVFF. RECH. PFE. COUNTER (Aza Gottlieb Lauffer Rechnung pfennig Counter), Shields, etc., as a shilling of Charles II.

These counters were used for cards and other games.

CHARLES II. TURNER OR TWO PENCE[2] (1660—1684).

Obv.: CAR. D.G. SCOT. ANG. FRA. ET. HIB. R. Crown above C.R., on right mark of value II. = 2d.

Rev.: NEMO. ME. IMPVNE. LACESSET. Thistle with leaves, not crowned.

[1] See *Numismatic Chronicle,* vol. xix., plate 17, No. 2; *Proceedings Clifton Antiquarian Club,* vol. iv., plate 20, No. 2.

[2] *See* Grueber (H. A.), *Handbook of Coins of Great Britain* (1899), p. 206, Fig. 207.

These pieces are sometimes attributed to Charles I. This was turned up during drainage operations, in Deanery Road, close to the Cathedral.

JAMES I. AND CHARLES I. FARTHING TOKENS.[1]

Many have been found by the men engaged in the harbour dredging during the year.

17th CENTURY TRADERS' TOKEN.

Obv.: IOHN SPRAKE. IN. TANTON.
= a pair Scales.
Rev.: IN. SOMERSET-SHIER = I. G. S.

This came from the harbour dredgings, and is in fine condition. English traders' tokens of the 17th century are now much sought after, as throwing endless light upon the commercial life of that period.

WILLIAM AND MARY FARTHINGS—date 1694—several; and much miscellaneous copper coinage, considerably worn.

GEORGE III. SHILLING[2] (brass).

Obv.: GEOR. III. D.G. BRITT. REX. F.D. Head to right, below 1819.
Rev.: Garnished shield of arms, crowned and within the garter with motto.

Also a sixpence, similar.

These "forgeries" in brass were evidently intended to be plated in silver, and circulated.

A similar shilling was dug up at the top of St. Michael's Hill, on the Tyndall estate.

In May an *ENCAUSTIC TILE* was found, about 6 ft. below the street level, between Wellington Street and All Saints' Street. It bears considerable foliage, with the Shield of Edward the Confessor, or Westminster Abbey, set in the corner=A cross patonce between five martlets, and is similar to one found on the site of the "White Lion," Bridewell Street, in 1894.[3]

[1] *See* Montagu (H.), *Copper, Tin, and Bronze Coinage of England* (1885) for varieties.

[2] *See* Grueber (H. A.), *Handbook of Coins of Great Britain* (1899), p 150, No. 862.

[3] *Proceedings Clifton Antiquarian Club*, vol. iii., p. 97.

During the month of June, when digging for concrete foundations, between Wellington Street and All Saints' Street, at a depth of 46 ft., the workmen came across *TWO LOGS OF OAK*, measuring 2 ft. 3 ins. in diameter; these were evidently lying on the level of the ancient stream.

Very few early objects of Iron have been found, but in November, at a depth of 15 ft., close to the Pithay slope, a well-preserved *HORSE SHOE* measuring 3¾ ins. across was discovered. (Plate 3, Fig. 4.) From the depth whence it was found, and its association with fragments of Norman pottery, there can be little doubt that it belongs to that period: in this opinion Mr. C. H. Read, F.S.A., of the British Museum, coincides, though he tersely puts it "most horse-shoes are a puzzle."

At the same time, a finely-carved bone *HEAD-DRESS PIN*, bearing a Unicorn's head, was found at an almost equal depth. There is one exactly similar at the British Museum. Mr. Read says "the unicorn is certainly not older than 15th century, more likely 16th"; but some experts are inclined to give it an earlier date. Its position in the ditch seems to warrant that opinion, especially as it was found amongst pottery fragments of 12th to 14th century.[1]

A small black pottery *CRUCIBLE*, with lip, date uncertain, the shape having been kept up from early times. It was discovered low down in the ditch, and is possibly 12th century.

[1] *See* Cutts (E. L.), *Scenes and Characters of the Middle Ages* (London, 1872), p. 434. In the "Feat of arms at St. Inglebert's," *temp.* Edward III., the prominent knight in the fray is depicted wearing a helmet with the crest of a unicorn, similar in character to this small carving

FINDS IN BRISTOL.

1. *XVII. Century Money Pot, found 1901.*
2. *Iron Spur, found 1901.*
3. *Brass Spur, found 1900. See "Transactions," Vol. xxiii. p. 269.*
4. *Norman Horse Shoe, found 1901.*

IRON SPUR, probably 14th century, rowel missing. (Plate 3, Fig. 2.)[1]

Amongst the *POTTERY* turned up during the year may be mentioned:

Further fragments of handles and rims of the *NORMAN* period, including specimens of the black ware used for domestic vessels.

MEDIÆVAL Period—mostly green-glazed—comprising some fresh types of handles, handsome masked spouts, mask heads and various ornamentations: also a *Red Pottery MONEY POT*,[2] showing a long narrow slit for receiving the coin, which had been extracted from this specimen by breaking the pot close to the aperture (Plate 3, Fig. 1); and several *CANDLESTIC KS* all, unfortunately, more or less imperfect.

Many fragments of *SLIP-DECORATED Pottery*; *DELFT Pottery* of interesting colouring, one fragment of blue and white bearing a decoration of birds, flowers and insects.

The *White DRUGGISTS' POTS*,[3] which may also have been used for domestic purposes, included an usually large specimen which measured $3\frac{3}{4}$ ins. diameter by $2\frac{3}{4}$ ins. deep: and another pot of smaller dimensions, having a black glazed surface, which is somewhat rare.

THE TOBACCO PIPES again form a considerable variety. This is not to be wondered at, as Bristol was early a great centre for manufacture. The variety in the shape and size of the bowl is very marked in the numerous specimens discovered.

Those found during the year include many of the several members of the Hunt family,[4] who must have carried on their trade upon this spot, so plenteous have been the finds of their pipes.

[1] Demmin, that great authority on Arms and Armour, says: "Of all accoutrements the spur is the most difficult to classify in correct chronologic order."

[2] See Prof. McKenny Hughes, *Cambridge Antiquarian Society's Proceedings*, vol. viii., pp. 48-49; Brand's *Popular Antiquities* (Chatto & Windus, 1900 Edition), p. 265.

[3] See *Transactions*, vol. xxiii., p. 266. [4] *Ibid.*, p. 267.

In addition to those recorded in last year's notes,[1] the following have turned up during the year :—

A very fine example bearing a square counter-sunk marked heel, the name given in three lines—

THO
HARTS
HORNE

evidently of a Thomas Hartshorne. This is the first pipe bearing a *square* mark found locally ; several of the early Brosely makers adopted this style of marking, but it was not common here.

JOHN TUCKER,	admitted as a freeman of the City in 1662.
A GAUNTLET mark.	Very seldom found.
A TUDOR ROSE mark.	Equally scarce type.
W. E.	William Evans admitted a freeman in 1660.
R. H.	Robert Hancock, admitted a freeman 1655.
E. L.	Edward Lewis, admitted a freeman 1678.
M.	
W. S.	
I. T.	John Tucker. *See* above.

and a pipe with a long sloping bowl, *temp*. William III.

Only one clay Wig Curler was found: this measures $2\frac{3}{4}$ ins. long, and bears the mark W. A.

With respect to *ECCLESIASTICAL ARCHITECTURE*, there is very little to report. The principal item being the interior restoration of St. Peter's (City). This was commenced early in the year and finished by October, when the building was re-opened. This Church has always been known for its huge Corinthian Altar Piece; and this many of the Vestry would doubtless have abolished, but it was finally decided to have it repaired and re-erected.

[1] See *Transactions*, vol. xxiii., p. 267.

In carrying out the necessary work several interesting discoveries were made: an original pointed doorway on the north side of the Chancel was found: also a piscina and what is probably a credence niche.

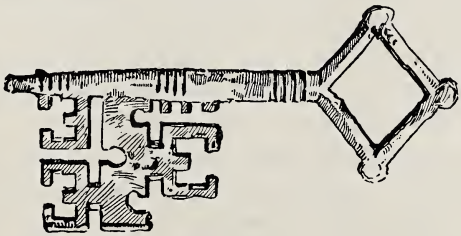
These had all been plastered up in past restorations, but have now been opened up.

DOMESTIC ARCHITECTURE.—A block of dilapidated 17th and 18th century gabled dwellings and shops standing in the centre of the open space, at the end of the Broad Weir,[1] was demolished in January for street improvements.

That quaint passage connecting Prince Street and the Quay, known as "Aldersky Lane,"[2] was ordered to be closed as a thoroughfare by the Recorder at Quarter Sessions on the 17th of April. There were two quaint over-hanging houses in the row, but they were very much dilapidated, and possessed no features of particular interest.

During November a few interesting finds were made at the corner of Stephen Street, upon the site of the new buildings to be erected for the Scottish Provident Institution. In digging for deep foundations the workmen came across some fragments of late Norman roughly-glazed, and other fragments of 14th and 15th century pottery. Also some portions of red deer antlers, several tine tips and boar tusks.

A beautifully-fashioned *IRON KEY*, with shaped bow, slightly over 4 inches long, was discovered by the workmen at



[1] Shown in Millerd's large Map of Bristol, 1673

[2] It doubtless took its name from "Aldworth's Key," close by. In Roque's large Map of the City, 1750, it is called Aldersgate Lane: its name was corrupted to Alder's Quay, thence to its recent designation.

the same time. The clearly-cut wards appear to indicate three distinct E's, and its date may be placed at about the 14th century.

Early in December a well-pointed *BONE NEEDLE*, broken at the top, was found at the same spot, at considerable depth.

These relics all probably came from the rubbish pits without the city wall.[1]

I have again to thank Mr. Claude B. Fry for permission to watch the excavations in the Pithay, throughout another year; and Mr. Dowling, clerk of the works, has always most courteously rendered me every facility.

[1] Mr. Ledward, Manager of the said Insurance Company, has kindly presented the finds to the Bristol Museum.

For the illustration of the key I am indebted to our member Mr. Reid, proprietor of the *Western Daily Press*

REMAINS OF A ROMAN VILLA, DISCOVERED AT BRISLINGTON, BRISTOL, DECEMBER, 1899.

By W. R. BARKER.

THE paper on the subject of the Brislington investigations which has already appeared in the *Transactions* of the Society[1] brought the account down to the time when the paper was read to the Clifton Antiquarian Club. The further researches, near the point marked (m) on the plan,[2] did not for a long time yield any marked results, and it became a question how far it was worth while to continue clearing away the ground to so little purpose. Just at that time the first indications of the circular head of the well appeared, ten feet from the north-eastern angle of the hypocaust, No. 9 on the plan. This was quite enough to awaken afresh that conflict of hope and uncertainty which seems peculiarly to belong to archæological researches. There was what appeared to be the well, but was it intact? how deep was it? what did it contain? were all questions that only hard work could solve. The clearing out was gallantly commenced by Mr. W. G. Smith and his son, but after a time the difficulty of continuing, except by those experienced in such work, and with proper appliances, was realised. Suitable men were accordingly detailed for the purpose, and they did their work admirably.

During the time the work was about, I was able to take careful note of the depth at which the different deposits were found, this being done for the purpose of setting at rest any questions as to the position of particular objects, and also to show the relation of objects to each

[1] Vol. xxiii., pp. 289–308. [2] Vol. xxiii., p. 290.

other. The graduated scale which is the result, exhibits the well and its miscellaneous contents as it were in section; from which it will be evident that while this was originally the well of the Villa, it was made to serve as a rubbish pit, when its use as a well was discontinued.

The well started with a diameter of five feet, and with masonry eighteen inches thick. This diameter was practically maintained throughout, there being a contraction of only a few inches towards the bottom. The masonry, which consisted of courses of lias stone, was in a wonderful state of preservation, and was regularly continued until near the bottom, where the stonework was of a rougher description. The bottom, about which there could be no mistake, was not reached until thirty-eight feet had been measured, and there the solid rock was found.

12 feet. For a depth of about twelve feet the material removed was of a rubbly nature, and with fragments of black pottery and other unimportant objects intermixed therewith. Very curiously, although Samian ware had been so scarce throughout the investigation, some small pieces were found in this upper section of the well. From the first everything brought to the surface was carefully examined and the relics preserved.

18 feet. The section between twelve and eighteen feet was filled with material which showed increasingly the presence of water, and the results as regards "finds" were meagre. A coin of Constantinus II. was, however, found on one of the ledges of the masonry at a depth of fourteen feet.

24 feet. When a depth of twenty-four feet was reached, some tons of coarse building material, evidently the remains of the Villa, and much of it in a sodden condition, had been brought up.

28 feet. Between twenty-four and twenty-eight feet a very remarkable deposit was found, consisting of a large collection of the bones and teeth of various animals, the greater part being the remains of oxen or cows,

including the skulls with the horn cores. The leg bones represented no less than about a dozen of these animals, and the presence of such a mass of these remains formed no little mystery. Intermixed with these and the other animal remains was found a quantity of broken pottery and other miscellaneous objects of the Roman period.

32 feet. In clearing out the section between twenty-eight and thirty-two feet down, still greater surprise was experienced, for, with quantities of wet muck and more bones and teeth of animals, three nearly complete human crania, with the separate parts of another, and the skeleton remains to which they belonged, were brought to the surface. In a circumstance so unlooked-for there was at the time, and there has been since, abundant room for speculation as to how these remains of several specimens of the human race came to occupy this strange sepulchre. After this came a graduated series of seven remarkable metal vessels, with curved and ornamented handles. Most of these were fairly perfect, except that they were more or less bruised and bent, but two had been broken to pieces by the fall of heavy material upon them. While the general characteristics of form were the same, in the case of five of them there were different ornaments on the handles. The remaining two had been repaired with new handles of inferior character and of plain triangular section. With these objects was found the only perfect specimen of pottery that came to hand. This was a small black pitcher or jug. Another good specimen, and larger, was slightly damaged, but it was hoped the missing part would be recovered. Other specimens of pottery consisted of fragments larger than usual, and it is worthy of note that a number of large and small tesseræ of the destroyed pavements, showing signs of much use, were among the miscellaneous objects. One of the large tesseræ

is somewhat of a curiosity, as it has a well-defined ammonite on the face.

36 feet. After these interesting "finds" came another deposit of rough building material, and then, mixed with the muddy deposit, were more bones and fragments of pottery, the bottom and side pieces of wooden buckets, with the handles and side plates which no doubt belonged to the articles when complete, a pointed stake, and various iron objects.

The remaining two feet consisted of rubble and soft material, with which small bones and fragments of pottery were intermixed; and when the rocky **38 feet.** bottom was reached at thirty-eight feet, the last bucket that was sent up contained a few bronze and other objects, including an ornamented bronze spoon partly decayed, a coin of Constantine the Great (3rd brass) with the legend destroyed but the bust preserved, part of a triple bronze chain each link consisting of three rings, also two separate rings, part of a fibula, a bronze pin, and part of a wooden comb with fine and coarse teeth.

The depth of water with which the men had to contend during the clearing out of the well increased as the work proceeded, and shortly after this was completed, when the well was inspected by members of the Somerset Archæological and Natural History Society, on the occasion of their visit to Bristol, the water had risen to fourteen feet, which appeared to be its normal height. It has now been filled up with dry rubble and made secure on the surface.

In addition to the numerous objects just referred to as having been found in the well, the following, also found there, may be particularly mentioned:

A rough mortar and pounding stone; several stones with mason's marks; fragment of black ware with metal rivet; iron implements with sockets for handles; masses of iron stone, and small specimens of hematite; portions of burnt bones, and of burnt wood; horn-cores of various

animals besides oxen. A lower human jaw, found not in the well, but in the ground near it, should also be mentioned.

The most important of the contents of the well consist undoubtedly of the series of pewter vessels and the human remains. As regards the pewter vessels, I endeavoured to obtain some information respecting them at the meeting of the British Association at Glasgow, but in the absence of the specimens themselves, not much light could be thrown upon them. There is, however, a reference in *Archæologia* to the find of pewter vessels of the Romano-British period at Appleshaw in Hampshire, which is to the point.[1] Only two of these specimens appear to be at all similar to those found at Brislington, and for the purpose of comparison the following description of them by Mr. Charles H. Read, F.S.A., may be interesting:—

1. "Octagonal jug with a narrow neck and foot. Round the neck a projecting band with punched design between wavy lines. Present height, 10½ inches. Handle now lost, the plate which attached it to the body is heart-shaped." 2. "Portion of a jug of similar general form, but circular; stout handle of triangular section. On the side is scratched VICTRICI. Height, 7 inches."

In several respects there is a similarity between these Appleshaw examples and those found at Brislington. For instance, the heart-shaped plate, and triangular section of the handle; the ornament round the neck, which in one of the Brislington specimens takes the form of a series of beads or studs, and is introduced also at the junction of the handle with the body. The narrowness of the neck and foot is noticeable. The sizes mentioned are also found among the Brislington specimens, which are more numerous and vary considerably in height and capacity; while the ornamental character of most of the handles, resembling as it does the style of ornament on bronze work of the period,

[1] *Archæologia*, Vol. lvi., Part 1, p. 7, *et seq.*

appears to be a special feature of this discovery. It would certainly appear that such metal vessels, although comparatively numerous in this case, are really very rare. In connection with the account of the Appleshaw specimens in *Archæologia*, it is strongly urged, that in all similar cases a careful analysis of the metal should be made. With the kind help of Mr. A. Capper Pass, this has been furnished with regard to the Brislington specimens, and the component parts were found to be as follows :—

Lead	62.5	per cent.
Tin	36.0	,,
Antimony	0.8	,,
Copper	*nil.*	
Earthy matter (and possible loss)	0.7	,,
	100.0	,,

With regard to the human remains, the three nearly complete crania was submitted to Dr. Beddoe, and he obligingly furnished the following "preliminary report" upon them :

"There are difficulties in the way of stating anything like a positive opinion that these human remains date from the period of the destruction of the villa; but that is what I think. The assemblage of cattle-bones, and the fact of a quantity of the materials of the villa being superposed (which must have been deposited while the ruins were still above the ground level), speak strongly in that direction. No doubt the difference in aspect of the one skeleton (No. 1) from the others is most easily accounted for by supposing it later in date; but perhaps that body lay a little higher and drier than the others. The female pelvis, which must have belonged either to No. 3, or to the body whose skull is in fragments, does not bear the same marks of antiquity, I think, as No. 3 skull.

"There is nothing ethnognomonic (to coin a term) in

the aspect of the skulls. No. 1 is a very fine one, mesokephalic near the limit of dolichokephaly, and rather elliptic than oval: it may have belonged to an Italian gentleman, or a Germanic chieftain: the Roman soldiery under the later emperors were largely Germanic. Nos. 2 and 3: of these, 2 is pretty surely male, but of a lower type than 1, than which it rather more resembles a common Romano-British type. It it mesokephalic; but the absence of the base of the skull may have caused an apparent widening: it is also a little askew. No. 3 belonged to a female and, I think, an old woman; it is of the same oval, rather than elliptic, type as No. 2, and like it, rather lower and flatter than No. 1: still it is a 'well-filled' skull of, probably, a person belonging to a civilised community. It is mesokephalic, almost subbrachykephalic (index 79). No. 4 is in fragments, and, I should fear, not susceptible of restoration.

"In all the three the teeth are much worn down: I do not think this is common in really Roman skulls, while it is so in British ones: it is of course a matter of food, and rarely occurs in the same jaws with caries.

"By my reckoning the owner of No. 1 may have been as much as 5 feet 7.7 inches in height, but by Pearson's plan perhaps not over 5 feet 6.3 inches. The other man was very little shorter. The woman perhaps 5 feet 2 inches: but I will work out these figures more carefully hereafter.

"The brain in all three must have been of fair size, *i.e.* the skull of fair capacity, or perhaps, in No. 1, above the average."

This report indicates a mixture of types which would be characteristic of the period, and may also suggest something as to the social conditions that then prevailed. We looked in vain for any distinct marks of violence; there were none. These people may have been suffocated in the fire which destroyed the Villa, or they may have been thrown into the well in the midst of a fierce

encounter, when any ready means of dealing death and destruction would be resorted to. If this latter be the explanation, the enormous quantity of animal remains would further suggest a great feast to celebrate the victory, and this would agree with the broken condition of many of the animal bones.

It has been suggested that probably the Villa remained standing after the Roman occupation came to an end. But the contents of the well seem altogether to set aside that idea. It is noteworthy that at all the different levels Roman objects were found, and that even near the top, as already mentioned, there were some of the few fragments of Samian ware that the whole exploration yielded. The evidence of the pavements shows that the Villa was destroyed by fire, and the contents of the well show that it was filled up at the time of, or not long after, that destruction. Writing to me of this well, Dr. Beddoe said, very pertinently: "To the uncivil mind a hole seems always to suggest filling it up," and that appears to be what happened in this case.

OBJECTS ON PLATE I.

1. Carved Capstone.
2. Group of Metal Vessels.
3. Various Ornaments on the handles of Metal Vessels, and the two plain handles.
4. Upper Stone of Quern.

OBJECTS ON PLATE 2.

1. Small black Pitcher or Jug.

2. Handle of Knife.

3 and 4. Knives.

5. Implement of bill-hook type with socket for handle.

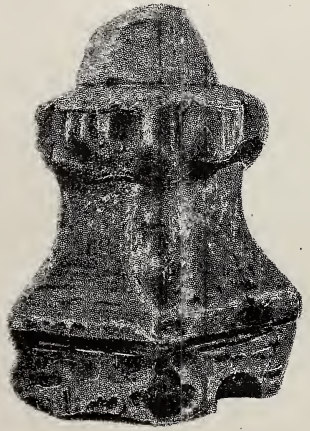
6. Group of Bronze objects:—
   - Armilla.
   - Bronze Rings.
   - Spoon.
   - Ring Key.
   - Bow and Pin of Fibula.

7. Ivory and Bone Pins.

8. Part of Strainer.

9. Wooden Comb, with coarse and fine teeth.

10. Fragment of Pottery, with metal rivet.



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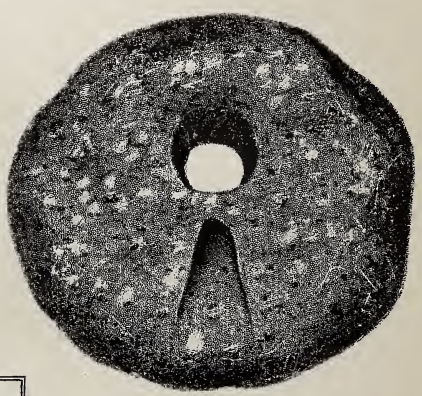

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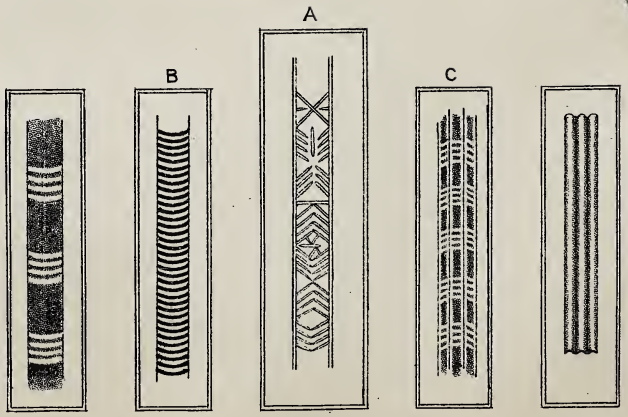

3

LAVARS & Co LITH. BRISTOL.

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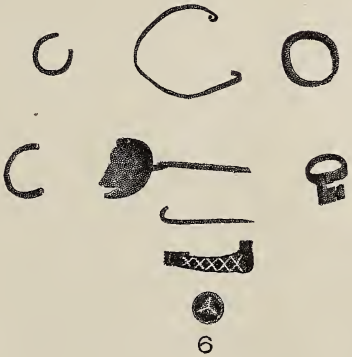

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LAVARS & Co LITH. BRISTOL.

THE HIGH CROSS AT GLOUCESTER.

By C. H. DANCEY.

THE early history of this lofty and beautiful structure is of a somewhat vague and uncertain date. The earliest drawing or sketch that we have of it is to be seen in the *Rental of Gloucester*, 1455, where there are four views shown. These, however, are very different to the one exhibited in the drawing of it, made in the year 1750, by Mr. Thomas Rickets, a clever carver and a native of Gloucester. This was engraved by G. Vertue, for the Society of Antiquaries, which engraving shows eight canopied niches, occupied by as many full-length Royal figures.[1]

Atkins, our local historian, 1712, says the niches are occupied by the statues of the following Kings and Queens:

"King John, because he was Earl of Gloucester, and afterwards, when he was King, made it a borough town.

"King Henry the Third, because he was crowned here, and by his charter made it a Corporation; and Eleanor, his Queen, because she founded St. Bartholomew's Hospital.

"King Edward the Third, because of his great renown and success against France.

"King Richard the Second, because he resided for some time in this City, and held a Parliament therein.

"King Richard the Third, because he was Duke of Gloucester, and afterwards, when he was King, annexed the two hundreds of Dudston and Kings Barton to the jurisdiction of the Corporation.

"Queen Elizabeth, because she established the Protestant religion; and King Charles the First, to show their detestation of the former disloyalty acted in this place."

[1] Pooley's *Old Crosses of Gloucestershire*, p. 18.

The sketch by Robert Cole, Canon of Llanthony, as seen in the *Rental* and called *Alta Crux* (High Cross), would make it appear that it was used as a conduit.

There does not seem to be any certain date known when it was erected or by whom, but the following extracts from the *Corporation Records* will assist in the question of the use to which the said "High Cross" was applied:—

> "A.D. 1438, August 10th. Agreement between Brother John Godewyn, Guardian of the Friars Minor of Gloucester (the Grey Friars), and the Convent of the same place, on the one part, and John Streynsham and Richard Dalby, Bailiffs of Gloucester, and the Community of the same town, on the other part, whereby the Friars, on account of their affection towards the Community of Gloucester, and with the assent of Father Richard Leeke, their Provincial Minister, grant to the said Bailiffs and Community, three-quarters of their water running in a leaden pipe in the ground from the hill called 'Mattesknoll' to the garden of the said Convent within the walls of the said town.
>
> "To Have and to hold to the said Community from a certain place in the garden aforesaid where the water is divided into four parts to the high cross in the town aforesaid, and at other places where they will in the same town, by a leaden pipe in the ground to be put in at the cost of the said Community; reserving to the said Guardian and Convent their fourth part of the water aforesaid. The said Convent undertake to repair the aforesaid subterranean leaden pipe, all middle channels of stone or wood, and the houses, walls, receptacles, and other things, both in digging and in other necessaries, from the heads of the springs of the water aforesaid to the said hill within reasonable time, provided that Plumbers and other necessary workmen for this work may be found in the County of Gloucester; or if the Bailiffs will provide such Plumbers and workmen, the Convent will receive and hire them.

"The Community are to find three-quarters of the cost of such repairs. Neither party is to do anything to lessen the supply of the other, and both are bound in sums of money to faithfully fulfil the provisions of this Agreement."—*Corporation Record*, 1112.

This would seem to have been the first mention of water being conveyed to the "High Cross." The date of this Agreement (1438) was only a few years previous to the time that the drawing of the *Alta Crux* was made by Canon Cole, —viz., 1455—which sketch distinctly shows taps or pipes, such as may be used for the supplying of water for the use of the citizens. The other places alluded to in the "Agreement" are not named, but we find one conduit was fixed against the "Tower of Grace Lane Church," and another was at "Trinitie Conduit," in the Westgate Street.

Now the water to supply these several places was part of a stream coming from a spring at "Bereresclyft in the field of Mattesdone," and granted by one William Gerard, unto the Abbot of St. Peter at Gloucester, and the Guardian and Convent of the Friars Minor of the same town, about 1300.

In 1357 a dispute arose between the Friars and the Abbey, as to the quantity of water to each. This was referred to the King, Edward III., who sent his grandson, Edward the Black Prince, to Gloucester to settle the dispute. He granted the Friars should have one-third and the right to place a new pipe and repair it, and a third of the cost of maintaining and repairing the reservoir.

From this time forward the Bailiffs' and Chamberlains' account books will furnish an abundant record of "items of expenditure" in the "reparacons" of the leaden water pipes from "Robinhood's Hill" to the "High Cross Conduite."

"1551–2. Also in money paied for the newe castyng of the cocke of the Conduite at the High Cross, and for the carying of the same to and from London and sett on the same by the tyme of this accompte xiiij*s*. ij*d*.

"Item paid for mendynge of the conduite dore there j*d*.

"Also in money paied to Ric[d] Letheland for an hangyng locke to the cocke of the said conduite by the tyme of this p[r]sent accompte viij*d*."

Leland, in his *Itinerary*, takes notice of the building and says:—

"The beauty of the town lies in two Crossing Streets, and at the place of the middle meeting is an Aqueduct incallated."

After the surrender of the Grey Friars, in 1538, Sir John Jenyns, one of the Household of King Henry VIII., was granted a lease of the site, for twenty-one years, at an annual rent of 33*s*. 0*d*., dated April 2nd, 1542. This was alienated by grant in 1544 to Thomas Payne of this City, and from him it was held by Hugh Gethyn for a short time.

On March 25th, 1556, the said site was "demyssed" for 500 years from Thomas Payne, Alderman of Gloucester, to Thomas Purye, also Alderman of the same; after his and his wife Joan's death, it came to his brother Walter, whose son Thomas demised the property to the Maior and Burgesses in the following manner:—

1630. "It is agreed that Mr. Thomas Pury shall have 50 *lb*. out of the Chamber to bee paid Thirtie pounde at Michaelmas next and Twentie pounde at Michaelmas come twelve Monthes, so as he passe over all rights titles and interest in the Friars house and garden and other things contained in that Patent. And likewise the interest of the pipe from Robinshood hill to the Priory garden; together with his interest of the fourth p[rte] of the water runynge through the said pipe to the Maior and Burgesses and their Sheriffs or to such ps[on] as they shall appoint, by such conveyance in the law as by the said Maior and Burgesses and their Sheriffs shall be reasonable devised before the feast of Christmas next.

"*August*, 1630."

Having acquired the Priory and with it the part of the water supply, it enabled the Maior and his Sheriffs to

continue and improve the arrangements for the supplying of water to the public conduits. The following extract will give an idea of the way in which this was done. 1622. *Minute Book*:—

> "It is also agreed that Moyses Beaton ("a Plomer") shall have a grant of tenne pounds from Midsomer last by the yeare out of the Chamber of this Citty for his own life and his sonnes upon condicion that he shall keepe and mainteine the water pipes from Robinhoods hill to the High Crosse and other conducts of the Citty accordinge to certeine articles to be drawn betweene the Maior and Burgesses, and the said Moyses shall new cast the pipes w^{thn} three years."

In cases where the lead was decayed, then the extra lead necessary to renew the same was allowed for, as was also the "Sowder" and the men's time. This agreement was duly read and ordered to be engrossed under the Comon Seal.

1634. The fact that the structures at the High Cross and also at the Trinitie Well were very much out of repair, was happily the means to bring about a strong desire in the minds of some to improve matters in each case.

In July, 1634, the Corporation *Minute Book* records:—

> "Whereas John Scrivens gen^{t} one of the members of this house out of his pious and Charitable disposicion having regard and respect as well to the honor of this City also to the benefit of the Inhabitants heare is minded as voluntarily and of his free will to erect and build a Conduit at the South end of the wheat market at his own charge which good intention being now p^{s}ented and made known to this and very thankfully ceconded and equally accepted and applauded It is therefore at this house ordered and agreed that the said Mr. John Scrivens shall have free liberty to erect and build a Conduit at the South end of the wheat market and shall likewise have a pipe for bringing of the water thither out of the pipe leading to the Cross."

This semi-Gothic building was erected in the middle of the Southgate Street, a little to the north of Travell Lane (Bell Lane), and was used and maintained at the cost of the City until 1784, when it was removed and refixed in a field which is now known as Clarence Street. From thence it was taken away from the City altogether, and is now to be seen standing in the grounds of Edgeworth Manor in this County.[1] Could not this interesting structure be recovered and fixed up again in the same parish in which it was first built? I do not think there would be much difficulty in obtaining it. Oh, that it may be so. At the same Council meeting, held in July, 1634,

> "It is agreed at this house that the Chamber of this Citty shall lay out and expend about the repayring and beautifying of the Cross the some of 50 *lb.*"

Although the sum of £50 was allowed to do the reparations, it will be seen that it required a much larger amount to finish the work; and in all probability there may have been some of the citizens who were of the opinion that they would like to see the proposed alterations carried out in a liberal spirit, so as to make the structure worthy of the many ecclesiastical buildings that were . . . within the walls of the city.

Up to this time the old structure was used as a conduit, and in all the Chamberlains' Accounts the repairs done to the Cross are included in the "Items of Reparacon done at the Conduits."

In the Inventory of Goods belonging to the city at this period, and where they are to be found, there is the following entry:—

> "Item in Mr. Edwardes Custodie, one locke and keye for the Crosse Conduite
>
> "in Mr. Halfords Custodie, one locke and keye for Glaceland Conduite
>
> "in Mr. Windows Custodie, one locke and keye for Trinitie Conduite."

[1] *Transactions*, Vol. XIII, 243.

This offer of Mr. Scrivens, to build a new conduit in the Southgate Street, appears to have suggested the idea of doing away with the use of the one at the Cross, and of transforming the old structure into a more beautified state; and in considering this question it was found that the £50 granted by the chamber would not be sufficient, for on the 23rd September the following minute was passed:—

> "1635 It is also agreed that the chamber of this Citty shall defray the whole charge of repayringe the Cross over and above the Twenty pounds given by the Lord Bishop and that it shalbe inclosed wth Irons as Bristol and other Cittys are."

There is unfortunately no record of the Bishop's offer to give the said sum, or we may have seen whether it was for any specific item, that he wished this amount to be applied; nor is there any other reference made to the above gift, either in the receipts or expenditure.

In the *Annals of Windsor*, Vol. ii., p. 101, there is a curious letter from Godfrey Goodman, Bishop of Gloucester, to the Mayor of Windsor, dated August 5th, 1635, in which he says:

> "Many Cities do this year either build or repayre and beautifie their Crosses; Bristow, hath erected one little inferior to the Cross in Cheapside, Gloucester by my persuasion hath done the like, and though I suffer them to beautifie some pictures, yet the Cross itself is wholly at my charge."

Godfrey Goodman was Bishop of Gloucester, 1624—1655, and the meaning of the letter is hardly clear, for the work was done, and a distinct account of the various items was kept, as follows:—

"Charges layd out about the High Cross as by p^r^ticulars and the noates thereof may appeare,

	£	s.	d.
"Imprimis payd for halling ffoure Loades of free stone from Brockington Quarr to Glouc^r^, which was imployed about the Crosse	2	4	0

	£	s.	d.
"*Item* John Loggins for his work done and about the Crosse in setting up the step[s] round about the foote and for altering the Cocke			
"Item payd him more xvj[th] May 1636, for his work doune aboute the Crosse and for placeing the Iron Bars there	1	12	0
"Item payd Alderman William Singleton for the Iron delivered to Thomas Woodward by Mr. Maior and the Justices appoyntmente being xxviij[cwt] and fifteene pounds at 18*s.* 6*d.* p[r] centum iust...	26	0	6
"Item payd Thomas Woodward in parte of a greater some he demands for working the same Iron Barrs and for setting them up by Mr. Maior and the Justices like order	20	0	0
"Item payd him more by a further order ...	2	0	0
"Item payd Thomas Prichard, Paynter for paynteing the Barrs and Scucheheons aboute the Crosse by Mr. Maior and the Justices like order	1	12	0
"Item payd Thomas Woodward for mendinge the ould grate at the Cross before it was pulled downe from the cock		1	6
"Item payd Mr. Anthony Edwards for lead used about the Barrs and cramps there as by noate and for rozom nayles and other things	4	7	11
"Item payd Richard Beatone the Plumber for a new pipe for the lesser cock at the Crosse as by his noate		8	8
"More payd him for sowder and for a dayes worke and an halfe for himselfe and his man as by the same noate will appeare		9	6
"Item payd him more the xviij[th] of ffebruary for another pipe of lead for the greater cocke without the masons worke for 8lbs. of sowder for coales cymond to sett on the cocke and for his owne worke and his mans as by noate		17	7

	£	s.	d.
"payd for broken Brickes and stones to putt within their new work		3	4
"Item payd Owen Eavens wife for 3 barrells of lyme		3	5
"Item payd Augustin Loggins for halling stone to the Crosse from the Poultrye Market and for other work done by him about the Cross and for halling lyme and sand		5	5
"More payd Goodwife Eavens for another barrell of lyme		1	1
"Item payd Goodman Greene for mending a cowle used there			4
"Item payd Goodman Sparkes Carpenter for pulling downe boards and for the frame he torne downe after Michme[s]		6	0
"Item payd for more bricks to fill in the newe worke		3	0
"Item payd for charcoal wc[h] the Plumbers used to melt the lead...		6	8
"Item payd more for lyme		1	1
"Item payd Goodman Sparkes for his worke and nayles at the Cross		6	0
"Item payd John Wellsteade for a hinge and nayles to a ladder...		2	0
"Item payd for a shakell for the locke and mendinge a wheelbarrow		1	6
"Item payd more to Thomas Woodward, Smyth the xviijth of November 1636 by order from the Maior and Justices in full paym[t] for all his worke at the Cross ...	5	10	5
"Item payd Alderman Webb for a stone used at the Cross		2	0

£ s. d.
Suma total Lxxvij iij viij."

Note, figured items =	67	5	11
John Loggun supposed	9	17	9
	£77	3	8

Since in the foregoing items of expenditure, which are all that are recorded in the Chamberlains' "Accompt Books" for this and the few following years, there is no mention made of the statues having been placed upon the Cross; and neither at this time nor at any previous period is there any allusion made to the figures, there seems to be a mystery as to how, when, or by whom were they erected. And the question arises whether the money given by Bishop Goodman was used in thus "beautifying" the Cross.

The Bishop was on very friendly terms with the Mayor and Burgesses at this time. He it was who gave to the Corporation of Gloucester the advowson of Kemerton in this Diocese on May 8th, 1658, "for the good of the Hospital of St. Bartholomew in this City." The Mayor and Burgesses presented the Bishop with a piece of plate of the value of £20 9*s.* 6*d.* in 1638. They had also in the year 1636 admitted Thomas Parrat, a servant of the Bishop, a burgesse of the City, at his Lordship's request, without paying any fine.

So far as the High Cross was concerned, events went on smoothly until 1643, when the city was besieged by King Charles I., who made Matson House his quarters. Now, in the fields near to this mansion is the head of the spring of water that supplied the ancient conduits of Gloucester. There is still to be seen on the premises near the reservoirs at Robinswood Hill the old stone covering of the well or head of the spring; this is covered with a massive horizontal cross, supposed to be the only one of this kind in the County of Gloucester. It is illustrated in Pooley's *Crosses of Gloucestershire*,[1] and its date is probably of the late thirteenth century.

It was a matter of course that the Royalists should, after receiving the refusal of the citizens to open their gates, seek to deprive them of their supply of water by cutting the leaden pipes that conveyed the stream to the city conduits. This was done as soon as the siege had commenced, compelling the inhabitants to depend upon the wells and the Severn for water.

[1] Page 73.

After the Royal Army had abandoned their attempt the Stewards had the pipes repaired, to pay for which a collection was made, as is clear from the following entry:—

> 1643. "Rec^d of the Maior & Ald^rm & Gentlemen of the Comon Counsill xx*s.* and of Mr. Walter Lane xij*s.* v*d.* being Money Collected towards the mending of the Conduit pipes that were cutt wi^th^out the walls at the time of the Siege, £1 12*s.* 5*d.*"

(The money actually paid for these repairs was £2 14*s.* 3*d.*)

1646. About this time the Cathedral was in a very neglected and ruinous state, and the Mayor and Burgesses were petitioning the Parliament to "Grant the use of the Chapter house in or belonging to the Colledge of Glouc^r as a fitt & Convenient place to be imployed as a Publique Libray." The ancient cross that stood in the Abbey churchyard was also in a very decayed and ruinous condition, for on the 11th day of February, 1646–7 the following minute was passed:—

> 1647. "It is also agreed that all such charges as the Stewards shalbe at Aboute the carryinge away the stones of the Crosse in the upper Churchyard of the Colledge for the Publique use of the Citty being already ordered to be taken downe shalbe borne by the chamber of this Citty."

Then the Chamberlains' Accounts say:—

> 1647. "Charges in takinge downe the Colledge Crosse p^r Order.

	£	s.	d.
"Imprimis paid to William Powell for hawlinge Six draughts of the stone to the Kaye		3	0
"p^d p^r note to John Sparkes, Henry Williams, John Watkins, Giles Jones, John Pinocke, Henry Phillips and Richard Cugley for their weeks worke in pullinge downe the said Crosse	1	2	2

	£	s.	d.
"p^d William Powell for hawlinge the stone to the Kaye beinge eighty load p^r note at vj*d*. p^r load	2	0	0
"p^d John Harris and Giles Jones for two daies to take up the stone		2	0
"p^d William Woodward for two chissells for taking up the stone		1	0
"p^d William Powell for hawlinge 38 draughts of stone from the Crosse		19	0
"p^d fower Labourers to take up stone there		7	0
"p^d for an Iron barre used for taking uppe of stone		4	0
"p^d for making a hanbarrowe and for nayles		0	5
"p^d to Henry Holliday, Henry Phillips & Henry Foster for takinge downe the Crosse in the Colledge		12	0
"p^d More to Henry Wheeler for 3 daies worke		3	0
Sum̃a toto	£5	13	7."

In reading these "Items," the memory is inclined to consider the gift and letter of Bishop Goodman. In the passage where he speaks of the charges of beautifying the High Cross in the centre of the City, there is no mention made of the statues as depicted in the drawing by Thos. Ricketts; but in looking at this picture and the style of the architecture of the main centre of the shaft, there is every reason to conclude it belonged together with the statues to a much earlier date, this being of the Decorated period, fourteenth century, while the base, plinth, embattled top decorated with towers and vanes, and the centre spire surmounted with the ball, &c., is of a much later and debased style—that of the seventeenth century.

There is no known drawing or sketch of the Cross that was in the "Colledge Churchyard," or it would have been helpful in settling the question whether the statues and also the other Decorated work of that structure were removed from the College and used up in the rebuilding and "beautifying" of the High Cross in and about the years 1635–6.

This conjecture will remain doubtful unless it should happen that some document may be found that will satisfy the enquiry.

In this year of the restoration Toby Jordan, who was the Citizen Bookseller, selected in 1643 to carry the answer of the Mayor and Burgesses to King Charles I. when he demanded the City, served the Office of Mayor. Time and circumstances, however, had made a great change in the minds of the defenders of the town, and the citizens generally were anxious for the restoration of the Royal Family.

A statue of Charles I., therefore, had been carved and fixed on the High Cross in honour thereof, and a general Thanksgiving Day ordered, "when Mr. Mayor & Comon Councell in Scarlett & wth the company^s^ Streamers went to the Colledge Church with a guard."

The following items are among the charges :—

	£	s.	d.
"p^d^ to Baldwyn for making & setting up of King Charles the first his picture	12	0	0
"p^d^ to Thomas Kircombe, Smith for a crosse, sceptre, round globe, cramps and other works for the said Statue...		18	0
[1] 1660. "p^d^ Mr. Campion for painting & guilding the late King's picture at the Crosse	3	0	0
"p^d^ Mr. John Campion for guilding the Crosse at the High Crosse	1	4	0."

Again, in 1675, the hand of time and decay had caused such ruin that,

> "It was Ordered that Mr. Chamberlain doe speedily take care for the Repayringe & amendinge of the High Crosse in this City."

This would appear to have been a more serious and expensive task than that worthy cared to undertake, for in 1683,

[1] Mr. John Campion was the man who adorned the case of the Cathedral Organ.

"A Committee of the Maior and five Aldermen was appointed to View the decayes of the Crosse and to treat with workmen to repaire the same at the charge of the Chamber."

Still nothing done until we find the following entries:—

	£	s.	d.
1694. "pa^d Mr. Wythenbury Stone Cutter of Worcester for his Journey in coming to Survey the High Crosse		13	0
"Worke done at the High Crosse in Repayringe and new gilding and Painting thereof,			
"pay^d Mr. Giles Campion for gilding and painting thereof...	50	0	0
"pay^d Mr. ffrancis Reeve for Repayring thereof...	16	10	0
"pay^d Mr. James Hornage for new doing the Iron work as per Bill	17	0	0
"pay^d Robert Davies for Brass work as by Bill	3	6	0
"pay^d Geo^r Gromett his note for Plumers worke as by Bill	3	0	0
"pay^d ffrancis Reeve for worke done by his men at the Barrs		12	0
	£91	1	0."

And again eighteen years afterwards:—

1712, July 11th. "Whereas the Cross in this City very much wanted repairing cleansing and beautifying. And whereas George Gregory of the City of London Painter hath proposed to repaire cleane paint and gild the same for ffifty pounds and to be at the charge of scaffolding stone work and all materialls in doing the same. Whether the said George Gregory shall goe upon the Termes proposed?

(for it 17, ag^nst 8.)"

This work was done, and paid for as follows:—

	£	s.	d.
1713. "paid Mr. George Gregory for painting the Crosse	55	0	0."

And again in 1727 there was:—

"paid Giles Blake a note for repairing ye iron work at ye Crosse	10	0	0."

And now appears the last entry relating to the structure of the High Cross that is to be seen in the Corporation Books:—

1751, Sept. 26th. "Whether this Corporation will impower the Committee appointed to build the Tolsey, to pull down and take away the Cross in this City at such Time and Times as the said Committee shall think proper? (For it all, 24.)"

That it was taken away is very evident; but what became of it, or of the Statues, there is no record or mention made. Thus, whence these interesting figures of the several Royal benefactors to our city came, and whither they went, are as yet mysteries which await solution.

THE MACES, SWORDBEARER, AND SWORDS OF THE CITY OF GLOUCESTER.

By C H. DANCEY.

By the Charter of King John, granted in 1200, the government of the town was placed in the hands of two Bailiffs or Sheriffs, and in all probability the use of a mace or other ensign of authority may have been adopted here soon after this period, the same customs, rights, and privileges as London and Winchester possessed having been granted to this town by Henry II. in 1155, thereby confirming the charter of his grandfather, King Henry I.

There does not appear to be any record of the time when maces were first carried before the Bailiffs; but that they were used in Gloucester as early as 1429 is certain, it being one of the conditions in a Deed of Agreement between the Abbey and the town "that the Sergeants-at-Mace should carry their maces before the Bailiffs into the Abbey Church."

The name "Maior de Glouc^r^" is of very ancient repute, and was sometimes applied in early deeds (circa 1220—1240) to the senior bailiff in the town; but the office of Mayor of Gloucester, as we now understand it, was not created until 1483, when King Richard III., on September 2nd, granted in his charter to the town:

> "That the Burgesses may elect a Mayor from amongst themselves on Monday next after Michaelmas, yearly, and they are incorporated in the name of the Mayor and Burgesses of the town of Gloucester, with the usual powers of an incorporated body, and confirmation of previous charters.

"The Mayor for the time being to have a sword carried before him in the town and liberties, in the same manner as is used in other cities and boroughs.

"There shall also be two Sergeants-at-Mace to serve the Mayor, and two to serve the Sheriffs."

This is the earliest mention recorded of the office of Swordbearer, and of the appointment of the four Sergeants-at-Mace. Before this there were evidently only two Maces—one for each of the Bailiffs. By the creation of the Mayoralty these were increased to four, the two Sergeants, who had formerly preceded the two Bailiffs, being now assigned to the newly-created Mayor, and the other two to precede the newly-appointed Sheriffs. We now see why Gloucester has four Maces—two for the Mayor, and one for each of the two Sheriffs.

The present maces are different in shape and size to those used by the Bailiffs, if we surmise correctly. It is not certainly known what they were like, but we have this interesting fact recorded, that "Anew Comyn Seale" was made for the city in 1564. This seal is a shield bearing the arms of the city as granted by Christopher Barker, Garter, in 1538. Now, on each side of this shield a pair of the city maces is clearly shown, very similar in form to the fine maces at Winchcomb, in this county. There are also still to be seen in our city some representations of these early maces. The earliest is to be seen on the ruins of the Blackfriars Monastery, where a shield bearing two maces crossed, also another bearing a bell, still remain. These were placed there by Sir Thomas Bell, who purchased the buildings of the recently dissolved Monastery in 1539. This was three years only after he had served the office of Mayor for the first time, and no doubt the fact that he had had these symbols of office borne before him when Mayor led him to place them on the shield over the front of his newly-acquired and altered residence. They are slightly different in form to those on the seal of 1564, and may have been representations of the two earlier maces before 1483 (?).

In St. Nicholas' Church in this city, over the tomb of John Walton, Alderman, there is a shield bearing the City Arms of 1538, upon which is placed a pair of maces crossed, in lieu of the "Sword and Cap of Maintenance." These do not, however, correspond to those on the seal of 1564. They had evidently been altered, probably by "Hill the Goldsmith" in 1567-8 (*see* this item). This John Walton was one of the City Stewards in 1613; he was made Alderman in 1622, and died in September, 1626. The fact that he had not served the office of Mayor may possibly have been the cause of the difference in the Arms. In Gloucester Cathedral, at the west end of the south aisle, upon the well-known monument to Alderman John Jones, there is carved on each side in alabaster a pair of the City Maces. He died in 1630.

It is very unfortunate that the "City Chamberlain's" accounts are not to be found from 1597—1635, except 1628-9; for they might have shown any "items" of expenditure on the City Maces.

The Minute Books of the Council are complete for this period; but there is no reference made therein to these emblems of authority. In the "Inventory of Goods" belonging to the burgesses for the year 1636 there is

> "In the Mayor's custody 2 swords and one moorning sword one Hatt and one Capp of Mayntenance.
>
> "In the fower Seargeants custodie viij Maces of Silver."

These articles are duly recorded in the following years, as in 1636, until 1641, when occurs:

> "In the fower Sergeants hands fower Silver gilt maces each of them one."

This may account for the four maces that were sold in 1642, with some of the city plate and one old seal, the money to be spent in repairing the walls of the town.

The remaining four old maces continued to be used and accounted for in the said inventory until 1651, when the

swords and maces were sent to London to be re-made, for which an account was sent from Mr. Viner, of London (who was related to Mr. Godfrey Ellis?), one of the Stewards of the city at this time.

In 1660 another alteration took place in the shape and size of the maces, for the State Arms of 1651-2 were removed and the Royal Arms of King Charles II. substituted in their place. Steward Ellis having bought four "pocket maces" in 1653, now sold them, the money being applied to the remaking of the maces at the "Restoration."

Since this date to the present time the maces have practically remained the same, excepting slight repairs and cleansing. We have the same emblems of authority carried before the Mayor and single Sheriff of this city as of yore.

The following extracts from the *Corporation Records* will enable us to trace out to some extent the list of those old citizens who have been chosen to fill the honourable office of Swordbearer, as well as some of the events incidental thereunto:—

> "Memorandum, That the ii^nd^ day of October in the second yere of the reigne of Kyng Harry the vij^th^ (1486) it is enacted, ordeyned, and established by the assent and consent of all the Comon Councell of the town of Gloucestre, that is to wete . . ."

Here follow the names of Mayor, Sheriff, Bailiff, Aldermen, and Burgesses.

> "That the Sheriffes and Bailiffes for the tyme beyng shall yerely ever hereafter paie, and do to be payd, unto the Maire for the tyme beyng, towards his office of the Mayrealte, vi *lb.* of lawfull money of England, that is to wete, in the feaste of Cristmas xxx*s.*, in the feaste of Ester xxx*s.*, in the fest of Seinte John Baptist xxx*s.*, and in the fest of Seinte Mighell the Archangell xxx*s.* For the whiche payment so made, it is ordeyned, that the said Baylifes and Sherifes shalbe ever hereafter quyte and discharged of iiij general dynners, that is the day of eleccion of the Maire and Sherifes, of oone of ij dynners for the ij lawe days, and of the Kesiardes

Dynner at Mydsomer, and for the drynkynge on Mydsomer Eve.

"Also it is ordeyned, that the said Shirifes shall kepe the drynking an Seynt Petyr[s] Eve.

"Also it is ordeyned, by assent of the said Councell, that the Chamberleyns of the said town for the tyme beyng shall yerely pay, and do to be payd, unto the said Maire for the tyme beyng toward his office of the Mairalte, in the fest of Cristmasse xiij*s*. iiij*d*.

"Also it is ordeyned that the same Chamberleyns shall yerely paie to the Swerde Berer xx*s*., to be paide quarterly, and for his Gowne in the fest of Cristmasse x*s*.

"Also it is ordeyned, that the said Shirifes shall yerely hereafter be discharged of the fyndyng of ij Sergaunts and the Swerde Berer, whiche shall be foun at the Maires charge.

"Also it is ordeyned, that the said Sherifes shall bere and yerely supporte alle and almaner charges, costes, paymentes and giftes, as Bailifes have usid to doo and paye herebefore, and of alle thinges and charges dewly acquyte the Maires office thereof."

It would seem that the above resolutions were not altogether satisfactory in the practical working thereof, as after seven years' experience it was deemed necessary to make the following alterations, after being duly considered and consented unto:—

"Memorandum, that att the Comon Councell of the Aldermen holden att Gloucetur, the xij[th] daye of Octobre, the ix[th] yere of the reigne of Kyng Harry the vij[th] (1493) hitt was enacted and ordeigned by the Meyre, Sheriffes, and alle the seid Councell, that there schuld be an able man electe and chosen to bere the swerde byfore the Meyre within the seide towne of Glouc[r], whiche schalbe yerely attendynge upon the Meyre of the seide towne for the tyme beynge, and that the seide Meyre schall fynde hym mete and drynke conveniently, and the Stewards of the seide towne for the tyme beynge shulde yerely pay to hym xxvj*s*. viij*d*., for his fee ar wages, and

a gowne of the suete of the Serjauntes of the seide towne for the tyme beynge, ar els xs. in money for his seide gowne, att the eleccion of the seide Stewardes; and that the Swerdeberer so electe and chosen schall have and occupy the seide office of berynge the Meyres swerde byfore the Meyre of the seide towne for the tyme beynge within the seide towne as long as he were able thereto and of good demenure to the seide Meyre for the tyme beyng; and not to be putt out or discharged of his seide office by eny oon syngular person of the seide towne without the assent, and agreement of the foreseide Councell of the seide towne for the tyme beynge, or of the more part of the same Councell. Accordynge to whiche acte Thomas Krykketot, gent, was electe Swerdeberer and admitted into the seide office aforeseide."

We have here the name, Thomas Krykketot, gent, of the first person recorded, who served the dignified office of Swordbearer to the Mayor. Who or what he was, or how long he retained the position, though in all probability it was "as long as he were able thereto," there does not appear to be any information obtainable. The office, from a monetary point of view, was not very lucrative, but then there is the consideration that the Mayor had to provide him with "mete and drynke conveniently." It will be seen, as we read the records relating to the many worthy citizens who have served this office, and whose names have been long forgotten, that the one who was, upon a vacancy occurring, chosen to carry the City State Sword before the Mayor and his Council, had in some instances been one of the "City Fathers," when in more affluent circumstances, and that his misfortune in life had been thoughtfully considered by his more fortunate fellow-citizens in electing him to this office.

There is unfortunately no record of the person who succeeded Thomas Krykketot; the next item that we find is in the Chamberlains' Accounts for the year 1550–1, as follows:—

"And in money paidd to Abell Haryott Swordberer as well for his wage as for his lyverey as it hath byn in times past xxxvis. viijd."

There is no account when he was elected or who he was. On October 30th, 1565,

> "At the Comon Councell then holden the daye & yere aforeseide it was enacted & agreed that the Mayor of the Cytie of Glouc^r for the yere beinge shall be allowed over & above the Lyvrys for the Swerdberar & his Sergeants xx*lb.*"

The salary of Abell Haryott had been in the year 1561, and so continued until 1570, when he died. John Tailor, a vintner, was chosen and accepted into the office of

> "Swerdberer wth the Citie, to have the whole issues, Fees, p^rfittes to the same office in anie wiese belonginge or appertaininge in as large and ample manner as Abell Haryett disseassed had to have and to hold the same duringe the lief of the seid John Tailor if he shall dulie and trulie observe and doe all and divers things wc^h to the saide office belongethe to be done accordinge to his oth thereof by him taken and accordinge to the extent and true meaninge of this present Ordinance.

The Salary paid to John Tailor in 1570 was Liij*s.* iiij*d.* per annum,

> "his 'Lyvery' being found him by the Mayor, who was allowed by the Chamberlain towarde the Lyveryes of his Swerdberer and twoe Sergeants as in yeres p^rcedente xxx*s.*"

The Mayor's salary at this date was xx*lb.*, while the Town Clerk's was the same as that of the Swordbearer with certain extras.

The Sergeants-at-Mace were given powers of distraint for the recovery of fines made upon the members of the Corporation by the Mayor and Common Council.

This John Taylor lived at one time in the large mansion in the Westgate Street, at the east end of St. Nicholas' Church, now in the occupancy of Mr. G. Merriless. He died July, 1579, and was buried in St. Nicholas' Church.

In 1580 Mr. Richard Tully had for his fee as Swordbearer vi*lb.* xiij*s.* iiij*d.* He continued to serve the office, with

the assistance of his son during times of illness, until 1606, when on March the 16th the following minute occurs:—

> "Wheras Richard Etheridge als Tullye for many years paste hath served the Office of Swordbearer wth this Citie, and now by reason of his age is not able longer to execute the same, but hath willinglye resigned and yeelded upp the saide office, Yt is therefore now agreed and fully decreed That John Etheridge als Tullye sonne of the saide Richard, shall succeede him the saide Richard in the office or roome of Swordbearer. And shall have the said office of Swordbearer wth all fees liberties wages and advantages incidental thereunto as largely and as amplye as any others exercissinge the said office heretofore have had. To have and use the said office duringe the good likinge and pleasure of the said Mayor and Burgesses of this Citye."

On the 2nd of October, 1606,

> "The wages of John Tully was increased by the sum of vi *lb.* yearly, towards the mayntenance of his father late Swordbearer, who had attained the age of 90 years, such sum to continue during the pleasure of this house and to be paid quarterly."

On June 18th, 1610,

> "Whereas John Tullye late Swordbearer of this Citty hath freely and willingly resigned and yeelded upp his place and Office of Swordbearer within this Citty, It is therefore fully ordered and decreed; That James Powell, shall succeed the said John Tully in the office or Roome of Swordbearer and shall have the said office of Swordbearer wth all fees liberties wages and advantages incident thereunto as largely and amplye as any others exerciising the said office have had. To have and use the said office duringe the pleasure and likinge of the Maior and Burgesses of this Citye."

In the churchyard of St. Catherine's, in this city, there is the remains of the once raised tomb, upon which was the

following inscription (time and neglect has nearly obliterated this):—

"Here lyeth old Mr. Richard Tully,
Who lived c and 3 years fully,
He did ye Sword of the City beare,
Before ye Mayor thirty-one yeare,
Four wives he had, and here they lye,
All waiting Heaven's eternitie."

He died March, 1619.

On September 18th, 1621,

"Att this House it is agreed that James Powell shall have his fee increased from sixteene pounds yearly to twenty pounds from henceforth, duringe the tyme as hee shall continue his place and that this act shalbe noe presidente for his successors."

In 1626 James Powell was represented in his office of Swordbearer, during his sickness, by one of the Sergeants-at-Mace, named Robert Cowdall, who was "granted fyftie and three shillings and four pence out of the Chamber of this City."

"James Powell gent peticioned the house, That Reynold Maſsinger gent shalbe Swordbearer duringe the life of the said James Powell and in regard of his former services the Stewards to pay him the yearly somme of Twenty Marks, (£13 6*s.* 8*d.*) and the said Reynold Maſsinger to have the residue & remainder of the Swordbearers wages being for this present Twenty Nobles by the year (£6 13*s.* 4*d.*) And all other proffitts of the said office allowed unto him during the life of the said James Powell."

In 1628 Reynold Massinger's wages was increased by five marks to make it to £10 per annum during the life of Mr. Powell and "no longer." This order did not hold good long, for the next year it was increased to twenty marks yearly during Mr. Powell's life, and "then to the old wages being twentye pounde p^{r} an^{m}."

In 1632 another increase of twenty nobles was added unto the twenty marks he hath already during the life of Mr.

Powell, and "then to have Twenty Pounds as the old Swordbearer hath."

	£	s.	d.
In 1636 there was "paid to James Powell late Swordbearer for the whole year	13	6	8
"and to Mr. Reynold Maſsinger now Swordbearer for the whole year	20	0	0
"Mr. James Powell died in 1637, and there was paid for 3 quarters of years wages to his daughter	10	0	0."

This Reynold Massinger held the said office at twenty pounds per annum until 1643, when on September 25th, "for many misdemeanors by him committed," he had been imprisoned, and also by the "Councill of War sent out of the City as a dangerous p^r^son to the welfare thereof."

> "It was also agreed that he shalbe discharged of his Office of Swordbearer, and the Stewards shall pay him only so much of his wages as is behinde for this year wch will end at the feast of St. Michael the Archangel next cominge."

It was also resolved that:—

> "Whereas the Chamberlain of this City is much indebted at p^r^sent it is therefore agreed that the wages of the Swordbearer, wch have byine for some years past Twenty pounds p^r^ an^m^ shalbe nowe reduced to the sume of Twenty Marks for the future to be paid quarterly. It is likewise agreed at this house that Mr. Nathaniel Hodges shalbe Swordbearer of this City in the roome of Reynold Maſsinger late Swordbearer duringe the pleasure of this house."

This Mr. Hodges was one of the Comon Councill for a number of years, but becoming "much decayed in his estate," absented himself from the house for awhile, when he made his application to be "discharged out of the common councill;" his request in that behalf was granted, as a preliminary to his appointment as Swordbearer of the City: his distress probably had something to do with a minute that was passed by the Councell on July 3rd, 1646:—

"It was agreed that Mr. Nathaniell Hodges now Swordbearer shall have his yearly wages for the executing of the said office encreased to Twenty pounds besides his other fees incident to the place to be paid quarterly & the first payment to begin the nyne & Twentieth day of September next ensueing."

Mr. Hodges continues to "truelye and duelye" execute the duties of the office, while in the meantime the old Swordbearer, Mr. Rn^d^ Massinger, is become an infirm man, of "very poore condicon;" his circumstances were brought before the house on September 22nd, 1656, when it was agreed "that towardes his reliefe & maintenance" he shall be allowed by the Chamber "the yearly sume of Twenty Nobles, to be paid quarterly, the payment to be at the 25th of December next, and to continue duringe the pleasure of the house."

This man's ancestors had been useful in this city, one Thomas Massinger having served the office of Sheriff on four occasions, and Mayor twice, 1531 and 1562. William Massinger, gentleman, was Sheriff in 1562 and 1566, and Mayor in 1569 and 1585. On September 7th, 1660, Mr. Reynold Messinger, "some time Swordbearer of this City," was again a subject of consideration by the "House," who agreed "by way of Addicon to what is already paid to him being Twenty Nobles, the yearly sume of five Marks." This five marks was to be abated out of the wages yearly paid to Mr. Hodges, the present Swordbearer, the first payment of the said alterations to be made on the 25th of December next, and to continue till the house declare to the contrary.

There was, however, an extra source of income granted to Mr. Hodges, in the payment to him "for every Burgesse sworne, who was the son of a Burgesse or had served as an apprentice to one, Twelve pence, and for every Burgesse made by fine Two shillings"; this state of things, however, did not continue long, for on the following January 14th, 1660–1,

"It is agreed at this house That Mr. Reynold Messinger shalbe restored to his place of Swordbearer from which he was removed, on the 25th of March next and in the meantime to have his pay according to the p^r^porcon of his present stipend of Twenty Marks by the yeare, but if he shall be contented to suffer the present Swordbearer to continue in his place without any molestation, Then this house doth agree to augment his yearly Stipend to Sixteene pounds p^r^ annum."

Nathaniel Hodges was appointed Rent-gatherer or Receiver of the revenues of the several hospitals in this city, and when Sir Thomas Rich founded the Blue Coat Hospital in 1666 he was one of the Stewards appointed to the care of fitting up the said hospital "with the necessary fittings, and doe take care for making and setting up of bed steeds and to observe the doing thereof." This continued until 1671, when he was discharged for neglect of duty.

On March 12th, 1667, it was resolved that :—

"Whereas Mr. Reynold Maſsinger beinge aged & weake and thereby being disabled to p^r^forme the office or place of Swordbearer of this City hath surrendered up the said office or place, It is agreed That the said Mr. Maſsinger shall have Sixteene pounds yearly duringe his life out of the Chamber of this City to be paid q^r^t^r^ly from Lady day next, And to receive the Quarters pay of five pounds due the foresaid day.

"It is agreed That Mr. Henry Price shall be chosen to be Swordbearer, And allowing the sixteene pounds yearly agreed to be payd to Mr. Maſsinger that he shall have and receive all other the fees and proffitts usually belonging or accustomed to be payd to the Swordbearer, And after the decease of Mr. Maſsinger to have all the fees and proffitts belonging to the said office, provided he surrender up his place of a Comon Councill man of this City before his taking upon him the said office."

Mr. Price accepted the terms, and received six pounds more to make up his salary ten pounds yearly during the life of the said Mr. Massinger.

Mr. Price held the office until his death, in 1675.

Mr. Cornelius Plott was chosen as his successor, and fulfilled the duties thereof until 1693, when death released him of his cares.

One Mr. John Marston, after a contest with Mr. John Crump, was elected to this office by a majority of 16 votes.

On the last day of January, 1698, the question was, "Who shall be chosen as Swordbearer in the room or place of Mr. John Marston deceased? The elected persons salary to begin from Lady day next and not before, Mr. Marston's widow to receive the salary to that time." A Mr. John Bishop received 25 votes, the nearest favoured candidate eight votes only, the salary being £20, with the usual fees, &c.

Mr. John Bishop having tendered his resignation of this office in 1715, the same was duly accepted. He died in 1718, aged 81 years, and was buried in St. Michael's Church.

Richard Gwinnell was the next chosen candidate for this office, and which he filled truly until his labours on this earth were finished in 1731. He was also laid to rest in St. Michael's Church.

Mr. Moutlow, a mercer by trade and a member of the Common Council, was the favoured person for this office, which was filled to the satisfaction of the Council until June 11th, 1742, when he died, and was buried in the Church of St. Mary de Crypt.

Thomas Steele, another of the Councillors, was chosen to carry the City Sword. He was allowed to retain his seat in the Council Chamber, but his name was to stand the last on the roll; and he continued to do so until his death in 1752.

John Heath, one more of the Councillors, was elected to this office in 1752, but he was obliged to resign his seat in the Chamber. He died in 1768, and was laid in St. Nicholas' Church.

The next to be chosen out of the Chamber to fill this

ancient office was Mr. William Dymock, at the old salary, &c. He died in 1772, and was buried in the chancel of St. John's Church.

Mr. Samuel Wintle, a brandy merchant in this city, was next chosen to this office. He was also of great use to the city in other matters; for attending as clerk to the Butchers' Shambles he was paid £10 yearly, and when the new markets were opened in the Eastgate and the Southgate Streets he took especial care in arranging and superintending the tolls, for which the Corporation made his widow a special grant of £20 when he died in 1786.

Councillor Thomas Harman then held the office unti 1803, at a salary of £30.

Mr. Benjamin Sadler resigned his seat on the Council to take the place of Swordbearer. The salary was increased to £50 yearly. At this date the city paid to the:—

	£	s.	d.
"Four Sergeants at Mace, £25 0 0 each per an^{m} ... ... =	100	0	0
Four Porters at £25 0 0 each ... ... =	100	0	0
1 Night and One Day Bell men	30	0	0
1 Beadle	21	0	0."

Mr. Sadler resigned through illness in 1826, when

Mr. Charles Weaver was appointed at £50 per annum; in the following year this was increased to £70. This continued until 1834, inclusive.

In 1835 the new Act for the Municipal Corporations came into force. Mr. Weaver was paid this year for his services £70, but in the following year this was reduced one-third. Mr. Weaver then appealed to have this reconsidered, but in vain. He, however, persisted in claiming the full amount of £70.

At the next yearly election of officers the offer was made to him to continue his services upon the condition that the salary be reduced to £46 13s. 4d., and he was allowed one week to decide. This time having expired, Mr. Weaver sent a letter to the Mayor and Corporation claiming under

clauses in the new Municipal Act the full sum of £70. He was thereupon, in accordance to the previous resolution, removed from the office of Swordbearer; but being probably inspired by the dignity of the said office and the loss to his income, he persevered in his demand by sending in a statement of amounts received by him during the years that he had served the said office, upon which he based a claim according to and under the power and provision of the Municipal Act. A committee was formed to consider the legality of the claim, to consult the claimant, to seek for any fair means of settlement, and to make a full report thereon to the next Council.

The end of this dispute was that at a special meeting, held on the 18th of April, 1838, Mr. Weaver was paid £70, being "one years salary due to the 9th of November last, from which day his compensation commences." The Corporation gave a bond under the City Seal securing to Mr. Weaver, the late Swordbearer, the annuity of £42, voted to him.

Mr. John Brown, who had been doing the duties of the office during the period of dispute at a salary of £20 per annum, was in 1838 duly elected to serve this place at a salary of the same amount. He was opposed by Mr. Samuel Watts, one of the Sergeants-at-Mace, the result of the votes being 11 for each. The Mayor (Mr. Edwin Maddy) gave his casting vote for Mr. Brown, who was elected.

Mr. Samuel Watts, having volunteered his services free of salary, was in 1839 elected to the place of Swordbearer. He was continued in this service for a while, a gratuity of £10 yearly being given to him until 1843. During these years Mr. Watts was one of the Sergeants-at-Mace, the yearly salary for this office being £25; and in 1843, finding himself not able to continue this office through illness, he appealed to the Corporation for permission to retire, after 17 years' service, also praying for a retiring pension in accordance with the provision of the Act. He

was allowed to retire upon a yearly grant for life of two-thirds of his present salary, and to continue the office of Swordbearer. This he continued to do until 1854.

The following gentlemen have held the office since that time:—

1855. Mr. Thomas Eycott.
1860. Mr. Samuel Amos.
1866. Mr. Edwin Smart.
1884. Mr. Daniel Taylor.
1885. Mr. John Matthews.
1896. Mr. James Judd.

"Items" of expenditure *re* Swords and Maces,

	lb.	*s.*	*d.*
1558. "Also in money payd to the Swerdberer for gold that he dysbursed to trymme the Swerd by the commandment of Mr. Major		iij	viij
"Also money paied to Albert the goldsmythe for newe gyldyng of the Chape & locket of the same Swerd		ij	viij
"Also in money paied for the makynge of a newe Scabberd for the same Swerd ...			viij
1561. "Also payed to Thomas Apmericke for the workynge of viij ounces of sylver upon John Smythes Masse	xxiij		o
"Also payed the same Thomas ij ounces & di (½) of new sylver & giltynge of the same Masse at viij*s.* the ounce	xx		o
1563. "Thomas Apmericke for mendynge of one of the fower Serjeants Masse now in the custody of Willi[m] Hobbs that is to saye for makynge againe of two ounces and a halfe of owld silver for an ounce three quarters of newe silver and for his giltynge and workmanshipe uppon the same masse	xxiij		o
1565. "Also payde for giltynge & mendynge the owlde Swerde of the Citie	xix		o

	lb.	*s.*	*d.*
"Also payd to Mr. Kinge for a quarter & a naill of velvet for the same Swerde ...	vj		o
1566. "Also p^d^ to Albert Williams for makinge and triminge the newe Swerde ...	v iiij		o
"Also to Hughe Gye for makinge the Skabborde			xij
"Also to William Hollidine for makinge the bace of the Scabbard	xij		o
"Also to lawrence Hollidine for one ownce three quarters and twoe yarde of goolde to macke the bace	x		viij
"Also pa^d^ to him for golde to macke the bace for the blew velvet Scabbard	xij		o
1568. "payd to Hill the goldsmythe for makinge a mace and giltinge of iij oz. and a quarter and a good waight at vij*s.* the oz.	xxij		ix
"Also for workynge of vi oz. of the olde silver at ij*s.* the oz.	xij		o
1569. "p^d^ to Hill for woorkinge of xj ounces and a quarter of ould silver of a Masse that Joh^n^ Mason dothe beare at ij*s.* the ounce	xxij		vi
"More to him for three ounces and a quarter of his owne silver at iiij*s.* viij*d.*	xv		ij
1569. "p^d^ to John Vaughan for furre for the Swordeerers hatt and for mendinge the same xx*d.*, also p^d^ to John Bowers one ounce of powder for the same hatt ...	iij		iiij
1582. "payde to Sandye the Cutler for mackinge a new Scaberde sh^th^ to the moorninge sworde xx*d.*, payed to Thomas Hill the goldsmyth for the silver of the same sworde xvij*d.*			
1584. "paide for a ounce of Vennyce goulde xxxiij*s.* iiij*d.* A quarter and a half quarter of Crimson velvett ix*s.* eight skegnta of silke xvj*d.* paid Sursbie for makinge the goulde lace and ymbrother-			

inge the Scabberde xv*s*. paide for fower ounces of newe silver xviij*s*. viij*d*. three angella to gilte with xxx*s*. paide the Gouldesmithe for his workmanshipp xxiiij*s*. paide for castinge the crosse xij*d*. paide the Cutler for makinge the Scabbard & Skoweringe the b(l)ade xviij*d*. paide the widdowe Merrick for the crosst of the sworde ij*s*. paid for cotten and rybonde and for makinge the case of the sworde ij*s*. paide to Thomas Hill the Goldsmithe for furnishinge the beste sworde with gilte three newe rosea gilt iiij*s*. vj*d*. paid peeter Sursbie for dreſsinge moreinge Sworde, iij*s*. iiij*d*.

These extracts are interesting and instructive to the curious, for herein we perceive the several callings of some of the old citizens of those days, men whose names have long been forgotten; also the means adopted by these old artificers in accomplishing their work, which was evidently done here in the city, as for instance: "workinge again of owlde silver," "Sandye the Cutler, makinge a newe Scaberde," "making the bace," "Castinge the Crosse," and making the gilt they used, as "three angella to gilt with" (old gold coins).

There is another praiseworthy feature in the care bestowed by the Stewards in giving the several "items" of reparation, so that as far as may be each to have a share.

There are many "items" during these intervening years that have been passed over.

	lb.	*s.*	*d.*
1640. "*Item* payd to Mr. Alderman Hill for repairinge one of the Citye Swordes as by his noate appearethe	xxx		o
"*Item* payd Mr. Pearce for the plush for the coveringe of the same sworde	viij		vj
"Item payd for a new Cappe of Maineteynance 3*lb.* 12*s.*, a box and carriage of it		4	6

	£	s.	d.
1641. "*Item* payd Mr. Robert Hill for mendinge and gildinge one of the City Swordes and plates uppon the Scabbard as per noate	2	0	0
"Item payd Mr. Thomas Green for velvet and gold lace for the same Sworde ...	1	4	0
1641. "payd Mr. Thos. Phillippes for making the Scabbard and cleaning the blade of the Black Sword		5	6
1642. Along with the Silver Plate sold in October, of this year, was "fower old Maces."			
1648. "p^d^ Mr. Robert Hill for 24 guilt peices to newe trime up the sword ...	2	3	0
"p^d^ him for dressing the best Sword and scouringe the silver pieces		10	0
"p^d^ Thomas Phillipp^s^ Cutler for making of 3 new Scabbards for all the 3 Swords of this Citye at vs. a peece		15	0
"p^d^ Mr. Thomas Peirce for the new triming of all the three Swords of this Citty as p^r^ note appears	3	8	9
1652, October 4th. "This house doth agree to allow the Bill of charges brought in by Mr. Stewar Ellis for the Maces and Swords sent downe by Mr. Viner, November 8th, It is also agreed that the Stewards shall pay eight pounds nineteen shillings three pence to Mr. Viner for the four little Maces bespoken by Mr. Godfrey Ellis of the said Mr. Viner."			

Charges for the Swordss and Maces.

"Imprimis, payd to Mr. Alderman Vyner of London for the Swords and Maces... ...	85	5	0
"payd for carrying the old Swords & Maces to London		4	0
"paid for bringing downe the new Maces to Glouc^r^ from London		3	4

	£	s.	d.
"paid what Mr. Ellice (one of the Stewards) layd out in charges about the New Maces		12	0
"paid Thomas Eldridge the joiner for a box to carry the Swords & Maces to London		1	6
1653. "paid to Godfrey Ellice for the foure little pocket Silver Maces as by his receipt & Mr. Viners letter	8	19	0
"paid to Thomas Lugg (Mercer) for a hatt or Capp of Mainteynance wth a goold band to the same	3	0	0
1660. "Received of Mr. Robert Cuthbert a Goldsmith in London for the plate of the two old Silver Maces and the fower small pockett Maces being 42 oz. ½ at 5/0 per oz.	10	12	6

1660, June 13th. "It is agreed at this House That the Sword and Maces that are carryed before Mr. Maior shalbe altered at the charges of the Chamber And that Mr. Maior doe procure the same to be done to the best advantage of the Chamber."

This resolution was effected by selling the six Maces as acknowledged above, and paying the balance.

	£	s.	d.
1660. "for the 4 new Maces & for altering the Scabbard of the best Sword over and above the summe allowed for the old Maces & Sword as appears by Mr. . . . . Cuthbert^s^ note a Goldsmith in London	74	1	0
"payd for a Capp of Mayntenance...	5	0	0
1662. "payd to Mr. Copley Goldsmith for putting on the Roses & Flower de Luces on the Sword	2	2	0
1670, May 6th. "It is agreed at this House That the Stewards of this City or one of them shall take care for recovering of the second best Sword wth Plush or Velvet and for amendinge thereof at the charge of the Chamber paid Richard Hill for clensing the three Swords		5	0

	£	s.	d.
"paid Thomas Farley for making annew Scabbard for the Sword		10	0
"paid Mr. Bishop for plush and gold Lace for the Sword		12	0
"paid Mr. Copley for new gilding the City Sword as per note	1	16	0
1677. "p^d Thomas Farley for mending the Swords...	1	18	6
1684. "p^d Mr. Crossley for amending the Maces	1	0	0
1687. "p^d Thomas Pharley for making the Scabard cleaning the Sword and gilding the Handle	1	10	0
1697. "payd Mr. Mair (Mr. John Hyett) his note for Velvet and Lace for ye Swords	2	8	6
"payd Mr. Richard Crossley his Bill for mending the Maces & new Boyling them severall times and mending ye canns ...	2	11	0
"payd Mr. Thomas Lewes for new gilding the Swords & mending ye Maces	3	10	0
1710. "paid Mr. Sheriff Rodway for the Swordbearers gown & for making Mr. Maior (Edm^nd Gregory) furrier for a cap of Maintenance	4	0	0
1725. "paid for the Swordbearers Gown ...	6	6	0
1727. "There was a resolution passed that the four Maces should be Amended & New Gilt at the charge of the Chamber at the care of ye Maior.			
"paid to Mr. Crossley for gilding the Maces	31	17	0
1761. "paid to Mr. Thomas Price Goldsmith a note for Gilding & Mending the Maces	38	5	5
1766. "paid to Alderman Crump a note for a Cap of Maintenance	6	11	0

This year's Inventory of Goods, as being in the custody of the Mayor, contains "Two Silver Gilt Maces," In the Sheriff's hands "Two Silver Gilt Maces."

	£	s.	d.
1773. "Mr. Mayor for the Swordbearers gown as per note	10	10	9

	£	s.	d.
1779. "Whether the Scarlet Sword of Chas 2nd belonging to this Corporation shall be sent to London to have the same repaired and ornamented and a new Sheath at the expence of this Corporation. (All for it.)			
1781, June 9th. "paid to George Washbourne the Goldsmith a note [was this for the above?]	16	18	9
1802. "paid to Hyam Barnet for repairing and gilting Maces (!)	75	8	0
1811. "paid to Mr. Cournock for Sword-bearers Cap and carriage	3	18	8
1819. "paid to George Adams for repairing the Sword	8	18	6."

KING ALFRED AND HIS FAMILY IN MERCIA.

By the Rev. C. S. TAYLOR, M.A., F.S.A.,
Vicar of Banwell.

The present seems a suitable time for gathering together what is known concerning the connection of King Alfred and his family with Mercia. It is true that not much is known, but even a little about so great a man is worth much. And the first point to be considered is the way in which King Alfred, the West Saxon descendant of Woden through Bældæg and Cerdic, came to rule the realm of the Mercian kings, whose line came down through Wihtlæg and Penda.

On looking over the list of the Mercian sovereigns, the instability of their race is very striking. Penda, who died in 655, founded the line: his two sons, Wulfhere and Ethelred, reigned in turn next after him; but never again, except in the case of Ecgfrid, son of Offa, who reigned for 141 days in 796, and possibly of St. Kenelm, who may have reigned for a short time after the death of Cenwulf in 819, did the crown descend from father to son. Penda was the son of Pybba: his son Wulfhere succeeded him; he died in 675, and was followed by his brother Ethelred, who resigned in 704, and, becoming Abbot of Bardney, died there in 716.

Coenred, son of Wulfhere, became king of the Mercians in 704, but in 709 he also resigned and went to Rome, where he remained as a monk to the end of his life. Ceolred, son of Ethelred, succeeded; but by this time the enthusiasm of the Conversion had died out, and St. Boniface, writing to King Ethelbald about 745, traced the beginning of the evil days to the reigns of Ceolred in Mercia, and Osred in Northumbria. With Ceolred the race of Penda apparently became extinct, and henceforward the Mercian crown became the prey of the

strongest: Ethelbald, Offa, and Cenwulf were great kings, and in their time Mercia was without doubt the strongest of the English kingdoms, but they could not transmit their power. On the death of Ceolred the succession passed to the line of Eawa, a brother of Penda, who had died in 642, in the person of his grandson Ethelbald, son of Alweo. Ethelbald had been persecuted by Ceolred in his youth.[1] The entry in the *Continuation of Bede* which narrates his end marks the spirit of the reigning house of Mercia: "Anno DCCLVII. Aedilbaldus rex Merciorum a suis tutoribus nocte morte fraudulenta miserabiliter peremtus occubuit: Beornredus regnare cæpit: Eodem etiam anno Offa, fugato Beornredo, Merciorum regnum sanguinolento quæsivit gladio." The grey-haired warrior was treacherously slain in his bed by his own guards, and the throne of the youthful Offa was founded on blood. That Offa was very young at the time is shown by the form of his witness to a grant by Eanberht, Regulus of the Huiccians, and his brothers Uhtred and Aldred, of land at Tredinctun—"Ego Offa nondum regno Merciorum a domino accepto puer indolis in provincia Huicciorum constitutus." The document is found in Heming and in *MS.*, Nero E. i., and is therefore of excellent authority. It must be placed before 764, as it is witnessed by Totta, Bishop of Leicester, who died in that year.[2] Offa seems to have died in peace on July 29th, 796, and his only son Ecgfrid died also before the end of the year, we are not told in what way. Offa was, like Ethelbald, descended from Eawa, and with the death of Ecgfrid that line also became extinct.

Cenwulf, who succeeded, was descended in the sixth generation from Cenwealh, another brother of Penda; he died apparently in peace about 821; his son Kenelm is said to have been murdered at the instigation of his sister, Kynethritha, Abbess of Winchcombe, on July 17th, 822, and Ceolwulf, a brother of Cenwulf, was hallowed by Archbishop

[1] H. and S., iii. 356.
[2] K. C. D., cii.; C. S., 183.

Wulfred on September 17th of that year.[1] He did not, however, retain his power long, for two years later we are told he was deprived of his kingdom. The word used, *besciered*, should be noticed; in an 11th century glossary (Cleopatra, A. iii.) *Ic eom bescyred* is glossed *Fraudor*, and there are other glosses with a similar meaning.[2] The meaning, therefore, would seem to be that Ceolwulf was defrauded of his kingdom. Ethelbald went out by violence, and Ceolwulf by fraud, and with him ended, so far as we can see, the male line of the House of Pybba.

Little, if anything, was gained by the change. Beornwulf who succeeded does not seem to have been a member of the Royal house. His name occurs among the witnesses to an original document of the reign of Ceolwulf,[3] where he appears as last of ten "duces." We should gather from this that he owed his promotion to Ceolwulf, and that he was not highly distinguished among his brethren. An incident of his reign was the slaughter of two ealdormen, Burghelm and Muca; of these Muca is found as a witness to two documents of the reign of Ceolwulf.[4] Beornwulf's career was short and inglorious; a war with Egbert, King of the West Saxons, ensued, in which, as we should gather from the fact that the decisive battle was fought at Ellandun[5], Beornwulf was the aggressor, with the result that Kent, Surrey, Sussex, and Essex were brought under the power of the West Saxons, and the East Angles asked for their protection. Shortly afterwards Beornwulf was slain by the East Angles. Ludeca, a "propinquus"[6] of Beornwulf, followed; he appears among the witnesses to two documents of 824 as ninth among thirteen, and last among five, "duces."[7] About two years later he fell in battle and his five ealdormen with him, and Wiglaf who succeeded, and

[1] K. C. D., ccxvi.; C. S., 370.

[2] Wülcker, i. 408, 7. [3] C. S., 373. [4] 370, 373.

[5] Wroughton, near Swindon. [6] M. H. B., 548.

[7] C. S., 378, 379; K. C. D., ccxviii.

about whom nothing has been heard before, was soon driven into exile by Egbert.

The realm of the Mercians had sunk down in a welter of blood: as the members of the Royal house evidently had no love for each other, so it is not likely that their subjects wasted much affection on them; and the two men of the people who followed either lacked the personal qualities or failed to secure the general support which could alone avail to save the kingdom. Henceforward Mercia was dependent either in fact or name on Wessex. But it was not possible to govern the Mercians simply as a subject race, so in 830 Wiglaf was restored as an under-king. Berthwulf followed in 838, and before long the Northmen began to cut him short. Under 838, most likely 841, it is recorded that Herebryht, the ealdorman, was slain and with him many of the Marshmen; it has been supposed that he ruled in Mercia, but as all his signatures are affixed to Kentish documents[1] it is more probable that the entry refers to the Kentish marsh land. In that year, however, it is distinctly said that many men were slain by the enemy in Lindsey, in the following year that there was great slaughter in London, while in 851 Berthwulf was defeated and London was taken by storm. In 852 Burhred was king, and in the next year Ethelwulf, King of the West Saxons, gave him his only daughter, Ethelswith, as his wife; he thus linked Wessex and Mercia together, but the former kingdom would have been the predominant partner. The *Chronicle* relates no inroads into Mercia on the part of the Northmen during the first fourteen years of the reign of Burhred; but that such inroads took place is clear from the fact that a grant of land at Ablington and other places from Burhred to Alhun, Bishop of Worcester, is dated in 855 "quando fuerunt pagani in Wreocensetun.[2] And if the Northmen could penetrate as far as the Wrekin, they could

[1] K. C. D., ccxxxix., ccxli.; C. S., 418, 419, 426.

[2] K. C. D., cclxxvii.; C. S., 487.

reach almost any part of central England. In the same year and Indiction, however, Burhred made a grant at Tamworth;[1] he was at Tamworth also in 857,[2] and on July 25th, 864, he made a grant at Bath[3]; but with the exception of a very doubtful Gloucester charter, purporting to have been granted in 862 at Wellesburne,[4] no other of his later charters show where they were granted. In 867, however, the Northmen went from East Anglia over Humber and took possession of York. This implies a march through Lindsey, and no doubt the reduction of that province. In 868 the army took up winter quarters at Nottingham, and an appeal to the West Saxons brought their forces to the siege of that fortress. When this proved to be unsuccessful, and the West Saxons went home, the Mercians made peace with the army, no doubt by the payment of tribute, and the beginning of the end had come. In 872 the army wintered at London, in 873 at Torksey on Trent; on each occasion peace was purchased, and in 874, when the army settled for the winter at Repton, Burhred fled to Rome.

Æthelred, who was afterwards son-in-law of King Alfred, first appears as a witness to a grant made by Burhred to his thegn, Wulflaf, of land at Upthrop, in 869; his name is written in the margin opposite to the names of three other "duces."[5] The document is a 10th century copy of the original charter, *MS. Cotton*, Augustus A, II. 76, which Kemble describes as "an invaluable collection of autograph and original charters." Soon afterwards he seems to have been exercising a quasi-independent jurisdiction under Burhred, for we find him as "Athelred Deo adjurante Merciorum dux" granting land to Cuthulf at Marnanclive, no doubt Marcliff, in Bidford, near Stratford-on-Avon.[6] Since the names of Werefrith, Bishop of Worcester, and King Burhred are found among the witnesses, the grant must have been made between the consecration of Were-

[1] K. C. D., cclxviii.; C. S., 488, 489. [2] K. C. D., cclxxx.; C. S., 492.
[3] K. C. D., ccxc.; C. S., 509. [4] C. S., 503.
[5] K. C D., ccxcix.; C. S., 524. [6] K. C. D., ccciv.; C. S., 537.

frith at Pentecost, June 7th, 873, and the flight of Burhred in 874. It is remarkable that although Ethelred grants the charter in his own name, the names of King Burhred and his Queen, Ethelswyth, appear among the witnesses. Since Marcliff was in the diocese of Worcester, and therefore no doubt in the province of the Huiccians, Ethelred must have been ealdorman of that province; and as the Danes had never penetrated in force into that part of Mercia, it is quite possible that, owing to the weakness of the position of Burhred elsewhere, Ethelred had attained to a quasi-independent position within his own province. At any rate, it is clear that Ethelred asserted the same position for himself in this charter under Burhred as that which he occupied afterwards under King Alfred.

On Burhred's flight the Danes committed the care of Mercia to Ceolwulf, whom the Chronicler calls an unwise king's thegn, and William of Malmesbury styles a *semivir*; but the days of Mercian independence had really ended more than half a century before, and it is difficult to see in what way the position of Ceolwulf differed from that of Ethelred except that he served another overlord. Two grants of land by Ceolwulf, King of the Mercians, to Bishop Werefrith are extant, both dated in 875 and witnessed by bishops and duces in the usual way; but the name of Ethelred does not appear in either of them.[1] At any rate, Ceolwulf held the whole of the Mercian realm till 877, when the Danes divided out a portion for settlement among themselves and left the rest to him. Unfortunately we have no evidence at all to show on what lines this division was made. In the winter of 877 they captured Gloucester after a stern resistance, which it is quite possible was inspired by Ethelred, and at Pentecost, 878, they met with a crushing defeat at Ethandun.

This must have made it clear to the Northmen that they had reached the limit of their conquests. They could not settle even the whole of Mercia, and the West Saxons had

[1] K. C. D., cccvi., cccviii.; C. S., 540, 541.

defeated them; therefore, as the *Chronicle* records, in 879 they went from Wessex to Cirencester, and in the following year they retired to East Anglia and settled there.

So, quite in accordance with these entries in the *Chronicle*, we find Ethelred back again as ealdorman of the Mercians in 880, for in that year he granted land at Brightwell and Watlington, in Oxfordshire, to the Church of Worcester.[1] It is to be noted that although Thorpe[2] assigns this document to 887, and has even inserted the date DCCCLXXXVII. in the body of the charter, Mr. W. de Gray Birch, in a letter dated February 19th, 1902, assured me that the date in both copies of the charter is really 880. The Indiction is given as V., and Thorpe may have altered the date to suit the Indiction. Among the witnesses are King Alfred, Ealdorman Ethelred, and "Æthelflæd conjux." This is the King's daughter who was afterwards known as the Lady of the Mercians. Asser tells us[3] that in 868 Alfred married a daughter of Ethelred, "Gainorum comitis," who was called "Mucil." The Gaini were no doubt inhabitants of the district of Lindsey, near Gainsborough. It is likely that Alfred met his bride, whose name was Ealhswith, at Nottingham in that year, and that the ealdorman and his family had been driven from their province by the march of the Northmen through Lindsey in the preceding year. The fact that some forty years later the Lady of the Mercians brought the relics of St. Oswald from Bardney to Gloucester may very probably have been a consequence of a family connection with Lindsey.

The name Mucel dux is found attached to Mercian documents from about 840[4] to 866[5]; and in 868 it is found attached to two West Saxon documents—a Winchester charter and one belonging to Abingdon Abbey.[6] The latter

[1] K. C. D., cccxi.; C. S., 547.
[2] *Diplomatorium*, p. 133.
[3] M. H. B., 475.
[4] C S 429. [5] K. C. D., ccxcii.; C. S., 513.
[6] K. C. D., mlxi., ccxcviii.; C. S., 520, 522.

document possesses a pathetic interest; for it records a sale by Æthelswith, Queen of the Mercians and sister of Alfred, of land at Laking, probably Locking, in Berkshire — a Princess of the West Saxons and Queen of the Mercians selling what was doubtless a portion of her inheritance, no doubt in order to provide part of the price of the peace which the Northmen made with the Mercians in 868. It would seem that Mucel, who had been driven from his province by the Northmen, found a home in Wessex after the marriage of his daughter.

As Alfred married Ealhswith in 868, Æthelflæd might have been about twelve years old in 880, and that was the nubile age for women then as now. The words of Asser also—"Æthelflæd, adveniente matrimonii tempore, Eadredo Merciorum comiti matrimonio copulata est"—would seem to imply that she was married to Ethelred at as early an age as possible.[1] But though charters are extant witnessed both by King Alfred and Ethelred in 883, and by Ethelred in 884, her name does not appear again as a witness until 888, when she would have been about twenty years of age. From that time she signs regularly with Ethelred, as a queen would sign with a king. It is evident that she was married to Ethelred, as Ethelswith had been married to Burhred fourteen years before, as a link between Wessex and Mercia; marking also the subordination, though not the subjection, of the latter realm.

We can best form an idea of the extent of the dominion of Ethelred and Æthelflæd by noting the places at which their charters were granted and the localities of the estates with which they dealt:—

[1] M. H. B., 485.

DATE.	PLACE OF GRANT.	LOCALITY OF ESTATES.
880	...	Brightwell, Watlington, and Benson, in Oxfordshire.
883	...	Berkeley and Stoke Bishop, near Bristol.
884	Princes Risborough, in Bucks	Himbleton, in Worcestershire.
888	Droitwich	St. Paul's Walden, Herts.
...	...	Old Sodbury.
889	...	London.
896	Gloucester	Woodchester.
897	...	Estates of Winchcombe Abbey, Upton-on-Severn.
880 to 901	...	Privileges to the Church of Worcester.
898	Celchyld	Ætheredes Hyd, or Retheres Hide, Rotherhithe.
800 for 900 Indiction of 900	...	Stanton, between Derby and Burton (?). A grant of Æthelflæd.
901	...	Estates of Wenlock Abbey. Stanton, in Derbyshire (?), Easthope and Patton, near Much Wenlock, Shropshire.
903	...	Princes Risborough, Bucks.
904	...	Wrington, Somerset.
904	...	Worcester.
916	...	Farnborough, Berks.

It will be seen that the estates lie in an area extending from London to Bristol and north nearly as far as Shrewsbury, being bounded, roughly speaking, by the Thames, Severn, and Watling Street. A few of the estates demand special notice. St. Paul's Walden lies between St. Alban's and Hitchin, to the east both of the Lea and Watling Street, and in the ancient diocese of London. There can be no doubt, however, that this identification is correct. The charter granting the land of xv manentes at Waledene to Wulfgar is a St. Alban's document, which was accepted as

genuine by Kemble.[1] The St. Alban's list of benefactors attributes the gift to Wulfgar, a Minister of King Ethelred,[2] and it appears in *Domesday* as Waldene, a possession of the abbey rated at ten hides. Both the manor and rectory belonged to the abbey at the Dissolution, though the rectory afterwards passed into the possession of the Chapter of St. Paul's. The document of 889, purporting to be a grant by King Alfred and Ethelred of land at London to Bishop Werefrith, was doubted by Kemble, and seems to contain later matter; but the document of 898 was passed by him. There is no clue by which the estate of Stanton can be certainly identified, and the grants of Wrington and Farnborough can best be dealt with later on.

The question arises whether Ethelred received the whole of this territory in 880, or whether Ceolwulf retained possession of London. There is certainly something to be said for the latter view. In his charter of 883 relating to Berkeley Minster, Ethelred describes himself as "gewelegod & gewlenced mid sume dæle Mercna rices," "enriched and exalted with a part of the Mercians' realm." One is reminded of the passage of the *Chronicle* for 871 relating to the division of Mercia by the Northmen: "Hit gedældon sum, & sum Ceolwulfe saldon." "Some part of it they portioned out, and some they gave to Coelwulf."[3] There are also passages of Florence of Worcester which certainly seem to imply that when King Alfred, in 886, obtained possession of London, its conquest had followed on the death of Ceolwulf: "Post cujus mortem, West Saxonum rex Alfredus, ut exercitum paganorum Danorum suo de regno penitus expelleret, strenuitate sua Lundoniam cum circumjacentibus terris recuperavit, et partem regni Merciorum, quam, Ceolulfus habuit, acquisivit."[4] DCCCLXXXVI.—"Eodem anno Alfred Angulsaxonum rex, post incendia urbium, stragesque populorum, Lundoniam civitatem honorifice

[1] K. C. D., mlxviii.; C. S., 557. [2] *Monasticon*, ii. 219.
[3] Freeman, *N. C.*, i. 573. [4] M. H. B., 639.

restauravit et habitabilem fecit; quam etiam Ætheredo Merciorum comiti servandam commendavit."[1] The *Chronicle* tells us that in 886 King Alfred occupied London, that all the English people submitted to him except those who were under the power of the Danes, and that then he committed the borough to Ealdorman Ethelred to hold. Taking the three passages together, they would well bear the interpretation that after the death of Ceolwulf, and probably in consequence of it, King Alfred took possession of London, but only after a sharp resistance; and then, because it pertained to Mercia, he committed it to Ethelred. It certainly seems likely that though Ethelred, in 880, obtained possession of some part (sume dæle) of Mercia, he did not obtain the whole, but that Ceolwulf, whether under the overlordship of Alfred or of the Danes is not clear, kept possession of London; that on his death, about 886, Alfred could only win the town after sharp fighting. The pact known as "Alfred and Guthrum's peace"[2] does not help us in this matter, because it is not possible to fix its date definitely. It might have been made at any time before Godrum's death in 890; and, in any case, Walden granted by Ethelred in 888, "ministro meo fideli Wulfgaro," lies in the territory assigned to Godrum.

We now have to consider the political position of Ethelred, both to the Mercian people and to King Alfred, and this we can best do by noting the exact terms in which these relations are stated in the charters.[3]

It is remarkable that in the two charters relating to land at Marnanclive and Stoke Bishop Ethelred describes himself as "Deo adjuvante Merciorum dux," and "through the inspiring grace of God enriched and exalted with a part of the Mercians' realm," without any mention of the overlord in the body of the charter, though the names of Kings Burhred and Alfred appear among the witnesses.

[1] M. H. B., 561.

[2] Thorpe, *Ancient Laws and Institutes of England*, 66; Schmid, *Gesetze der Angelsachsen*, 106; C. S., 856, 857.

[3] *See* pp. 342, 343.

But generally there is mention both of the leave of King Alfred and of the consent of the prelates, nobles, and people of the Mercian realm. It is clear that the Mercian people was still a self-governing community under their Ealdorman Ethelred; and though the knowledge or leave of King Alfred was usually recited in the charter, his presence was not necessary, for while the gatherings at Risborough in 884 and Droitwich in 888 were clearly formal gemots of the Mercians, the name of the King is not found among the witnesses. Again, during the reign of Alfred there is no word implying the subjection of the Mercians; the formula found in the charter of 903, "Prædictus dux rogavit Eadweardum regem Æthelredum quoque et Æthelflædam qui tunc principatum et potestatem gentis Merciorum *sub prædicto rege* tenuerunt," is an innovation. The word *tunc* might, indeed, be thought to be a mark of a later date; but the charter is an original one which was passed by Kemble. The fact that no charter of King Edward granting land in Mercia exists of a later date than 904 would be important were it not that his reign is singularly barren of charters of any kind except Winchester ones.

We can now try to estimate the right by which King Alfred ruled in Mercia. He had no natural right to rule there, but it is clear that after the victory at Ethandun had broken the power of the Danes Mercia was derelict. The late king had left the country, and even if he were alive it is not likely that anyone desired his return, while Ceolwulf was discredited as a puppet of the Danes. Ethelred, who had acted as "dux" of the Mercians under Burhred, and who had not acted under Ceolwulf, was a natural leader of the Mercians; but there is nothing to show that he had any claim to kingship, and in any case the triangle of territory between the Thames, Severn, and Watling Street was too small to form an independent kingdom. The Mercian Royal house seems to have become extinct; the last member who can be traced is Wistan, a son of Wigmund, who had married Ælfleda, daughter of

K. C. D.	CART. SAX.	DATE.	GRANTOR.	GRANTEE.	ESTATE.
CCXCIX.	524	869	Burhred	Wulflaf	v man. Upthrope. Ethered written by side of 3 "duces," Æthelhun, Beornheard, Wulfstan.—10th century copy of original charter. Cotton., *Aug.*, ii. 76, "An invaluable collection of autograph or original charters."
*CCCIV.	537	873 or 874	Athelred	Cuthulf	x man. Marnanclive: "Deo adjuvante Merciorum dux." The name of King Burhred appears among the witnesses with that of Æthelred dux and others.
*CCCVI. *CCCVIII.	540 541	875 875	Ceolwulf Ceolwulf	Church of Worcester	The name of Æthelred dux is absent from the two Worcester charters granted by King Ceolwulf in 875.
*CCCXI.	547	880	Æthelred	See of Worcester	Berhtanwellan vi man. Wæclintune viii man. "dux et patricius gentis Merciorum cum licentia et impositione manus Ælfredi Regis una cum testimonio et consensu seniorum ejusdem gentis episcoporum vel principum." Among the witnesses are Ælfred rex and Æthelflæd conjux.
*CCCXIII.	551	883	Æthelred	Berkeley Minster	xii hides at Stoke. "Eldorman, through the inspiring grace of God, enriched and exalted with a part of the Mercians' realm." The name of Ælfred rex is among the witnesses.
MLXVI.	552	884	Æthelred	Æthelwulf	v man. Hymeltun. "divina largiente gratia principatu & dominio gentis Merciorum subfultus."
MLXVIII.	557	888	Æthelredus	Wulfgar	xv man. Waledene. "gratia Dei disponente procurator in domino regni Merciorum." Among the witnesses,—Ego Æthelflæd consensi. A S. Alban's charter passed by Kemble.
*CCCXVI.	561	889	Ælfred and Æthelred	See of Worcester	Land in London. "Ælfred rex Anglorum et Saxonum et Æthelred subregulus et patricius Merciorum cum testimonio et licentia seu consensu senatorum episcoporum seu ducum utriusque gentis." Doubted by Kemble.

MLXXIII.	574	896	...	...	Settlement of dispute concerning Woodchester. "Athelred aldorman summoned all the 'Witan' of the Mercians together at Gloucester, bishops and aldormen, and all his chief men; and did that with the knowledge and leave of King Ælfred."
*CCCXXIII.	575	897	...	...	Settlement of dispute concerning "Uptune." "cum testimonio Ælfredi regis et Æthelredi ducis Merciorum atque omnium senatorum ipsorum." But neither name appears among the witnesses.
MLXXV.	579	880-901	Æthelred and Æthelflæd	See of Worcester	Privileges. "Æthelred and Æthelflæd have done this with the witness of King Ælfred and of the 'Witan' of the Mercians." No names of witnesses.
	583	800 for 900	Æthelflæd	Alchelm	ii man. Stantun.
CCCXL.	607	900 for 904	...	...	v man. Eatun (Water Eaton) "Eadweard rex, et Æthelred dux et dominator Merciorum, necnon quoque et Æthelflæd."
CCCXXX.	587	901	Æthelred Æ——	Wimnicensis Eccl.	Exchange. "opitulante gratuita Dei gratia monarchiam Merceorum tenentes." Both names among witnesses.
MLXXXI.	603	903	...	...	Dux Æthelfrid asked—"Eadwardum regem, Æthelredum quoque et Æthelfledam qui tunc principatum et potestatem gentis Merciorum sub prædicto rege tenuerunt"—that new land charters might be given to him in place of some that had been burned.
CCCXXXVIII.	606	904	...	...	A similar request couched in similar words, only relating to xx cassates at Wrington, in Somerset.
*CCCXXXIX.	608	904	The Bishop and Convent of Worcester	Æthelred and Æthelflæd	Land near Worcester. A lease for their two lives and that of Ælfw' "that it be uncontroverted while she liveth."
CCCXLIII.	632	878 for 916	Æthelflæd	Eadric	x man. Fernbeorngen.

* Worcester documents.

King Ceolwulf. Wigmund was a son of Wiglaf, King of the Mercians. Wistan was slain "injuste" by Berhtferth, son of King Berhtulf, on June 1st, 850. Florence of Worcester speaks of him as "sanctus," and of his death as a martyrdom.[1] The Northumbrians had chosen a king not of the Royal line in 867. The only possible king for the Mercians was the West Saxon ruler. It is remarkable, however, that the only witnesses to the charter of 880 granting land at Brightwell and Watlington, besides King Alfred, Ethelred, and Æthelflæd, are the Bishops of Hereford and Worcester, and a Mercian Bishop Wulfred whose See is unknown, as though the secular potentates were holding aloof. The charter, nevertheless, recites that it was given with the consent of the "principes" as well as the Bishops of the Mercian people. The ealdormen, however, appear as usual in 883. It would seem, moreover, that the old ealdormen retained their authority under the different rulers; for of those who signed under Ceolwulf—Beornoth or Beorhtnoth, Æthelhun, Athelwold, and Alhfert—Beornoth signed in 866 under Burhred and in 884 under Alfred; Æthelhun in 869; Athelwold, as Athelwald, in 883 and 884; and Alhferht, as Æthelferth, in 883 and 884. There seems to have been no break in the government of the realm. No doubt there must have been some formal acceptance of King Alfred by the Mercian Witan, but it is singular that no writer definitely mentions it.

It seems clear that Gloucester was the seat of government under Ethelred and Æthelflæd; there they gathered the Mercian Witan in 896, there they founded St. Oswald's Minster, and there they both were buried. The Abingdon edition of the *Chronicle* places the bringing of St. Oswald's body from Bardney to Gloucester in the year 909, but Manuscript D, belonging probably to Worcester or Evesham, in 906. Both copies must have taken the date from a register of Mercian events, and it is not easy

[1] M. H. B., 550.

to reconcile the discrepancy. When St. Oswald was slain at Maserfelth in 642, Penda commanded that the head and the hands, with the arms, should be cut off from his body and fixed on stakes. King Oswy took them away in the following year, and buried the head at Lindisfarne and the hands at Bamburgh.[1] His body was removed by Osthryd, a daughter of Oswy, and so a niece of St. Oswald, to Bardney between 679 and 697, where it rested beneath the Royal banner of the saint till the minster was destroyed, no doubt when the Northmen marched through Lindsey in 867. It is worth noting that Ealhswith, wife of King Alfred and daughter of Mucel, *Comes* of the Gainas, died in 905, and it is quite possible that the Lady of the Mercians brought the relics of the saint from Lindsey, where her grandfather had ruled, to her home at Gloucester at her mother's request. Oswald was the first Englishman through whom miracles were wrought.[2] Bede relates a number which were worked soon after his death,[3] and Ælfric, writing early in the 11th century, says that "St. Oswald's bones were again brought, after many years, into Mercia to Gloucester; and God often shews many wonders there through the holy man."[4] Two of the manuscripts of William of Malmesbury's *Gesta Pontificum* give a curious account of the death of Thomas, Archbishop of York, on account of his inquisitive meddling with the relics of the saint, in July, 1100. The same authority relates that St. Oswald's shrine was renewed by Archbishop Thurstan about a quarter of a century later.[5]

The death of Ethelred is placed by the Parker Manuscript of the *Chronicle* in 912, by the Abingdon Copy (C) in 911, and by the Worcester Copy (D) both in 910 and 912. Ethelwerd, who places his death in 910, stated that he was buried at Gloucester.[6] King Edward then took

[1] Bede, H. E., iii. 12.
[2] William of Malmesbury, *Gesta Regum*, *R.S.*, i. 54.
[3] H. E. iii., cap. 9–13.
[4] "Life of St. Oswald," Sweet's *Anglo-Saxon Reader*, p. 105.
[5] Rolls Series, 263, 295. [6] M. H. B., 519.

possession of London and Oxford and the territories dependent upon them. The territory dependent on London would no doubt have been the ancient diocese of London, consisting of Middlesex, so much of Essex as was then in English hands, and the deaneries of St. Alban's and Braughing in Hertfordshire. The deaneries of Baldock, Berkhampstead, Hertford, and Hitchin lay in the ancient diocese of Lincoln, and had therefore, no doubt, formed part of the original diocese of Leicester. In 913 King Edward went out to secure this territory. About Martinmas (May 12th)[1] he built the northern fort on the Lea between the rivers Maran, Beane, and Lea, represented now, possibly, by Hertingfordbury. Then, in the summer between the Rogation Days (May 23–25) and Midsummer, he went to Maldon to prevent the Danes passing up the river, and encamped there while the fortress at Witham was built and set in order; as a result, we are told that a good part of the people who were under the power of the Danes submitted to him. Meanwhile part of his force had built the fort at Hertford, on the south side of the Lea.

In the same way the territory dependent on Oxford would no doubt be what was left of the diocese of the South Angles, whose See had been at Leicester, but whose bishop, after the flight of Burhred in 874, had set his throne at Dorchester on the very border of his diocese, much as St. David had retired before the heathen Saxons from Caerleon to St. David's three centuries before. The Parker *Chronicle* for 897 records the death of Ealheard, Bishop *æt* Dorchester, not *on*; he was simply the Bishop *at* Dorchester, because that was not his proper See.[2] And so perhaps it was that

[1] There can be little doubt that here, as in 919, the festival intended was that of the "Subventio" of St. Martin, or the restoration of his relics after they had been hidden on account of the invasions of the Northmen. (Ducange, *s.v.*) This festival, which falls on May 12th, was appointed at the Council of Tours in 841. But the Martines mæssa mentioned towards the end of the *Annals* of 918 and 921 must mean November 11th, as also in 1006, 1009, 1089, 1097, and 1099.

[2] Plummer, *Two Saxon Chronicles*, ii 111.

the remnant of territory was called after the most important place in it. It would have been bounded on the south by the Thames, on the west by Gloucestershire and South-West Warwickshire, on the east by Essex and East Anglia, and in 912 the northern boundary cannot have extended beyond the present shires of Oxford and Buckingham. Certainly it was in the territory of the ancient diocese of Leicester that most of King Edward's fighting took place.

In 917 the Northmen from Northampton and Leicester, after Easter (April 13th), raided the country about Hocneratun (Hook Norton, in Oxfordshire), and took much spoil; but a second expedition against Leighton (Buzzard) was defeated with heavy loss.

In 918 a great fleet came from Britanny and plundered all the shores of the Bristol Channel. After they had been driven away, about Martinmas, King Edward fortified Buckingham, and almost all the chief men who were subject to Bedford submitted to him, and many who were subject to Northampton.

In 919 he captured Bedford and fortified it, and in 920 he fortified Maldon.

The decisive year of the struggle was 921. Before Easter (April 1st) the King fortified Towcester, on the Watling Street, eight miles from the Danish fortress at Northampton, and during the Rogation Days (May 7th–9th) he raised a fortress at Wigingamere. This is generally said to be Wigmore, in Herefordshire, an impossible identification, for Wigmore lay in Ethelflæd's district; and, moreover, if the King had gone thither the Northmen in Northampton and Leicester would have plundered busily till he returned. No doubt the fortress was set near Wing and Wingrave, by Leighton Buzzard.

Between Midsummer and Lammas the Northmen from Leicester and Northampton made a fierce but unsuccessful attack on Towcester, and a more successful raid near Aylesbury. Moreover, as a counter-stroke to the fort at Towcester, they left Huntingdon and advanced up the

Ouse to Tempsford, only seven miles from Bedford, where they made a fortress and pressed on to attack Bedford, but were defeated. The same fate befell those who attacked the King's fortress at Wing.

Then, in the same summer, a host was gathered from the King's portion of Mercia and took the fortress at Tempsford by storm, slaying the King, Toglos the Earl, and his son Manna the Earl, and many more; while during harvest another host was gathered from Kent, Surrey, and Essex, which captured Colchester. The Northmen retaliated by an unsuccessful attack on Maldon. Lastly, but still during harvest, King Edward came with the West Saxon army to Passanham, near Stony Stratford, and strengthened the fortress at Towcester with a stone wall. This was an evident preliminary to an attack in force on Northampton, and as a result the Northmen there surrendered, as did also the rest of the Northmen as far north as Welland. It only remained for the King to secure what he had won, and the campaign closed with the fortification of Huntingdon and Colchester and the submission of the Northmen in East Anglia and round Cambridge.

In 922, between Rogationtide (May 27th-29th) and Midsummer, the King captured Stamford, and while he was there Æthelflæd died at Tamworth on June 12th. He then went to Tamworth and received the submission of Æthelflæd's portion of Mercia and its dependencies, and finally he took possession of Nottingham. As Derby and Leicester had already been captured by Æthelflæd, the conquest of central England was complete. In 923 he went to the north-west and fortified Thelwall and Manchester; in 924 he went from Nottingham to Bakewell, in the Peak, and fortified it; and after receiving the submission of all the peoples in Britain, he died in 925.

I have followed the West Saxon chronology of the Parker *Chronicle* with regard to Edward's wars, and as an account of the campaigns of Æthelflæd is already given in the paper on the "Danes in Gloucestershire,"[1] it is

[1] *Transactions*, xvii. 89–92.

unnecessary to repeat it, especially as the uncertainty of the dates renders it impossible to compare the progress of the campaigns of the two children of Alfred.

We can now see the meaning of the statement that after the death of Ethelred, King Edward took possession of London and Oxford and the lands pertaining to them. It was evidently an amicable division between the brother and sister of the task of pushing the Northmen till they had subdued them. True the brother had the larger share, but he also had the harder task, and no doubt the harder task was allotted to him because he alone of the two had the right to call on the forces of Wessex, Surrey, and Kent, as he did do in 921. Æthelflæd worked north from Gloucester, and Edward from Oxford. He was King, but she did not cease to be "domina" Lady of the Mercians. It is evident that they were not divided in mind, for Athelstan, who was born in 895, was brought up in the Court of Æthelflæd,[1] a circumstance which may have made the Mercians more ready to accept his rule in later days.

When Æthelflæd died, the Abingdon *Chronicle* relates that she was buried in the east "portice" of St. Peter's Church at Gloucester. William of Malmesbury, in the *Gesta Regum*, also says she was buried in St. Peter's; but in the *Gesta Pontificum* he says that in the time of Thurstan, Archbishop of York (1119—1139), when St. Oswald's Minster was enlarged, the bodies of Ethelred and Æthelflæda were found in the south porch.[2] The Abingdon and Worcester *Chronicles* relate that King Edward died among the Mercians at Farndune. There is a Farndon on the Fosse near Newark, where he is very likely to have been, for the Danes were strong in Lindsey; but there is another place of the same name near Chester, and there are two more in Northamptonshire. The place of his death, therefore, is uncertain; but he was certainly buried with his father in the New Minster at Winchester.

[1] William of Malmesbury, *Gesta Regum*, R. S., i. 145.
[2] Rolls Series, 293.

Ethelred and Æthelflæd certainly had one daughter, Ælfwyn, whose name seems to occur first as one of the beneficiaries in a three-life lease granted by the Bishop and Convent of Worcester to Ethelred and Æthelflæd in 904.[1] She also appears as Ælfwyn *episcopus* in an Abingdon document purporting to be a grant to Eadric of land at Feornbeorgan.[2] The title is an impossibility, because Ælfwyn is a female name. It was no doubt transferred from Ælfwine episcopus, who comes next in order; he was Bishop of Lichfield about this time. But the charter is a very doubtful one.

Ælfwyn seems to have enjoyed a short period of sovereignty over the Mercians, for the Abingdon *Chronicle*, which sets her mother's death on June 12th, 918, relates that she was deprived of all dominion over the Mercians and carried away into Wessex three weeks before Christmas in 919. The entry, by speaking of her as Ethelred's daughter, seems to derive her claim to rule from her father rather than from her mother. Henry of Huntingdon says that in this the King acted "magis curans an utiliter vel inutiliter ageret, quam an juste vel injuste."[3] The action of Edward appears to us harsh, but if we might believe a late Welsh authority—the so-called Chronicle of Caradoc, a monk of Lancarvan—that she was sought in marriage by a son of the Danish King of Northumbria, he had reason enough; for a Lady of the Mercians married to a Danish King might have been a difficult neighbour for the King of the West Saxons.[4] Though the matter is not mentioned by any English historian, it is probable enough. The last recorded action of Æthelflæd was an agreement with the Yorkshiremen, confirmed by pledges and oaths, that they would be under her rule. It is likely enough that Æthelflæd intended to confirm the agreement by the marriage of her daughter to the Northmen's prince, precisely as she had been married

[1] K. C. D., cccxxxix; C. S., 608.

[2] K. C. D., cccxliii.; C. S. 632. [3] M. H. B., 745.

[4] Lappenburg, *England under the Anglo-Saxon Kings*, ii. 116, 126.

to Ethelred some forty years before, and as Athelstan gave his sister in marriage to Sihtric, King of Northumbria, a few years later. The result would have been that Northumbria and Western Mercia would have been under one rule and the rest of England under another, and Edward was certainly right in preventing this. Nothing more is heard of Ælfwyn, for the time at any rate; but the fact that she did rule for a year and a half would seem to imply that there must have been some definite reason for her deposition.

In conclusion, it is right to notice a grant of Wrington, in Somerset, to Glastonbury Abbey, which is identical as far as the name of the estate granted with an original Mercian charter of 903, by which new land charters were granted by King Edward, Ethelred, and Æthelflæd to the "dux" Æthelfrith in place of some which had been burned with regard to land at Prince's Risborough.[1] The same petition is made by the same person to the same authorities with regard to twenty cassates at Wrington, in Somerset, and granted by them. Then follows this sentence,—"Et hanc præfatam largitionem ego Edred[2] rex et totus senatus Anglorum devoto animo Ethelfritho duci in perpetuam hereditatem persolvimus," &c., and the two signatures: Ego Athelret consensi et confirmari. Ego Edward rex consensi et subscripsi. Then come the land boundaries, and last of all: "Hanc præfatam hereditatem Athelstan dux filius Etheredi conversus et factus monachus optulit secum ad monasterium Glastingensis illamque sibi largitus est Athelstan Rex." Assuming the authenticity of the document, it would certainly follow that the Athelstan dux who gave Wrington to Glastonbury was a son of the Ethelred who granted the charter, and therefore of the Ealdorman of the Mercians. If this were so, the West Saxon King would probably not have been sorry when he became a monk of Glastonbury. An Æthelstan "dux"

[1] K. C. D., mlxxxi., cccxxxviii.; C. S., 603, 606.
[2] Probably written for Eadward.

begins to sign among the witnesses to charters in 930,[1] but the name is found so frequently on to the very end of the reign of Edgar, in 975, that it is evident that it represents more than one person. The editors of the *Crawford Charters* have a long note on these signatures (pp. 82–84), which does not, however, lead to any very definite result. Since Æthelstan, Ealdorman of East Anglia, known as the "Half-King" on account of his great influence, certainly became a monk of Glastonbury, we might be inclined to identify him with the Æthelstan of the charter. "The *Vita S. Oswaldi* says that his son was *progenitus ex regali prosapia*, and the *Ramsey History*, p. 11, describes him as *ab atavis regibus præclara ingenuæ successionis linea transfusus*. King Edgar's charter to Ramsey[2] speaks of Æthelwine, Æthelstan's son, as *Michi . . . propinquitatis consanguinitate connexus*, which may refer to kinship on the maternal side. The charter cannot, however, be trusted implicitly, as it has been much tampered with, even if it be not, indeed, a forgery entirely."[3] Still, even supposing the document to be a fiction, the statement concerning relationship may very likely be true. A forger would be careful enough not to insert anything he knew to be doubtful or false; and what is said about Æthelstan here would certainly fit in very well with the idea that he was a son of the Lady of the Mercians. Again, the fact of the peculiar form of the Wrington charter is strong evidence for its authenticity; a forger in the interests of Glastonbury would not be likely to go out of his way to take a Mercian grant as a model for his fiction. Since King Æthelstan gave Wrington to Æthelstan "dux," it is clear that the land, and no doubt the land charters, had come in some way into his possession; and what would be more natural than to endorse on the old Mercian title-deed the fact that the Æthelstan who gave the estate to Glastonbury was a son of the Ealdorman of the Mercians? There certainly seems to be a strong

[1] K. C. D., cccxlvi.; C. S., 667; found in the Bath and Abingdon books.
[2] K. C. D., dlxxxi.; C. S., 1310. [3] *Crawford Charters*, 82.

probability that this was the case; but there is also certainly not sufficient evidence to prove it, and we might have thought that if it were so there would be some record of the fact. The Ealdorman Æthelfrith of the Wrington charter is evidently the one who, as we have seen, had signed in 875, 883, and 884. He also appears in a Winchester charter of 901;[1] but the suggestion[2] that the *Etheredi* of the Glastonbury charter represents *Ethelfredi*—Æthelfrith seems to be of very doubtful value. Athelret appears as signing the charter, and this must be meant for the name of the Ealdorman of the Mercians, since his name appears in the body of the document as one of the grantors. We are nowhere told by any contemporary authority that Æthelred and Æthelflæd had only one child, and if Æthelstan had been a mere boy at the time of his mother's death the chroniclers might naturally pass him over without notice.

With regard to Ælfwyn, an original document of the year 948 is extant by which King Eadred granted six sulungs of land at Wicham, in Kent, to the "religiosa fæmina" Ælfwyn.[3] This may very probably have been the daughter of the Lady of the Mercians, and, if so, we should suppose that when she was taken into Wessex she became an inmate of some religious house, and that is, of course, very likely indeed to have been the case. But nothing is really known about her after she was carried into Wessex. It is evident from the occurrence of the place-names Ellbridge and River Stour in the land-boundaries that the place intended is Wickham, about four miles east of Canterbury.

[1] K. C. D., mlxxxviii.; C. S., 595. [2] *Crawford Charters*, 83.
[3] C. S., 869.

Notices of Publications.

ENGLAND UNDER PROTECTOR SOMERSET. By A. F. POLLARD. London: KEGAN, PAUL & Co. 1900.

This is an excellent account of the condition of the people of England, and of the history of the country during the months which elapsed between January 28th, 1547, when Henry VIII. died, and October 14th, 1549, when the Protector was committed to the Tower. Ample justice is done to the miserable condition of the country at the accession of Edward VI. Henry VII. had left the Treasury full, and a thriving and contented people at home, while abroad the Church was friendly and England held a commanding position in Western Europe. Henry VIII. left his people exposed to the bitter hostility of the Church, on the verge of war with France, of the slightest possible account in the Councils of Europe; while at home Treasury and people were alike impoverished, the coinage was debased, the old aristocracy was broken, and power lay in the hands of new men, greedy, cruel and tyrannical, while the great body of the people were poverty-stricken and sour. The Crown passed to a sickly boy of ten, and Somerset as his uncle was naturally chosen as Protector. It was a position none need covet. The story of Somerset's Protectorate is not told in chronological order, but under a series of subjects—"Methods of Government," "The Religious Revolution," "Social Discontent," and so on; and as the length of time covered by the book is so short, this is no doubt the best arrangement. In the first place Mr. Pollard considers that the will which was produced after King Henry's death was genuine, and he is able to give good reasons for his opinion. With regard to the Protector's methods of government, wisely or unwisely, they tended in favour of liberty and freedom of action. All Acts of Parliament relating to religion or opinions were repealed, and nearly all treasons were abolished except those mentioned in the Act of 25 Edward III. With regard to the House of Commons, Mr. Pollard thinks that the Protector cannot be fairly charged with packing it by the creation of new boroughs, except in cases where their importance would fairly entitle them to representation. It would certainly seem that liberty of discussion was permitted, and a curious case is mentioned in which the members for Coventry and Lynn opposed the Bill for Confiscating the Chantry Lands so vigorously as to endanger it, till a promise was made to them that in the case of their boroughs the lands should be restored by Letters Patent, which was done.

Even in the case of the Council, which was the chief instrument of government, no arbitrary changes were made, and the Protector himself set an example of regular and diligent industry. In religious matters the Protector is described as a "Calvinistic Erastian," a combination probably unthinkable by Calvin himself. Erastian a man of his training could hardly help being, for the Church had given herself over to Henry VIII. to be dealt with at his will. But if the first Prayer Book of Edward VI. is to be taken as representing his opinions, and there is no direct evidence to the contrary, his Calvinism cannot have been of a very severe type. Even with regard to the celibacy of the parochial clergy, which had only been compulsory in England about four centuries and a half, though Convocation had sanctioned the marriage of priests in December, 1547. it was not till the beginning of 1549 that an Act was passed which stated that though celibacy was best for the clergy, yet it was not found to answer in practice, and therefore all laws forbidding the marriage of ecclesiastics were declared void. In considering the changes in ecclesiastical matters made under the Protector's rule, it is strange that Mr. Pollard makes so little mention of the plundering of the Guilds and Fraternities under cover of the Chantries' Act of 1547. Few people, it is likely enough, felt very strongly in favour of the chantries; and it is also likely enough, as Mr. Pollard says, that the pensions to the priests must have swallowed up a considerable proportion of the income of the chantries at first. There is a curious entry in the wardens' accounts of St. Thomas the Martyr, Bristol, which seems to shew that these payments continued in some cases for many years. Under 1571 is the entry: "For a Convyding to the six that were sworn to present the dead Chantry Priest, with a groat given to the Registrar, iis." Probably this was to certify the death of the priest and the termination of his pension twenty-four years after his chantry had been dissolved. The jury did well with a feast at four shillings a head. But the lands of the Guilds and Fraternities were quite a different matter; they provided the funds of the Trade Societies, and Friendly Societies, and Benefit Societies throughout the country. How valuable they were the incomes of the City Companies of London testify, and there can have been few villages even of any importance which did not possess some endowment of the kind. Their confiscation was a robbery of the poor of the most widespread and cruel kind, and there can be no doubt that it contributed very much to the Protector's fall. There can be no doubt also that the good purposes mentioned in the Act of Dissolution profited very little, if at all, by this robbery of the poor. Mr. Pollard takes on the whole a favourable view of the Protector's character and work, and there was certainly much to admire. He kindled strong affection in those with whom he had to do. His was the one administration under Henry VIII. and his children during which torture was unknown. He repealed almost

all the penal laws concerning treason and heresy. On the other hand, he was undoubtedly deeply dyed with avarice and ambition. It is likely enough that if Elizabeth had succeeded her father he might have ruled with fair success, and when the worst has been said of him his government was uprightness itself compared with that which followed on his death. The book is a very clear and fair account of the subject treated, and is all the more valuable because the account of civil administration is kept quite distinct from that of the religious changes which ran side by side with it, and which in most books on the period overshadow secular interests. Still the story as told tends very strongly to justify the late Mr. Thorold Rogers' sentence on the statesmen of the period as—"a camarilla of the vilest adventurers who ever gathered in a court, the guardians of Edward VI., the best of the crew being successively removed by the worst."[1]

BEFORE THE GREAT PILLAGE, with other Miscellanies. By AUGUSTUS JESSOPP, D.D., Rector of Scarning. London: T. FISHER UNWIN. 1901.

This chatty volume takes its title from the first of the essays contained in it, and it affords very interesting reading. By "The Great Pillage" is meant the plundering of the parish churches in the time of Edward VI., and many even of those who are well acquainted with the general outline of the history of the Mediæval Church of England will find that they can learn very much about the practical work of the Church among the people from the book. It is abundantly clear that in country parishes of the fourteenth and fifteenth centuries there was relatively a high standard of civilisation, better even in some respects than that which prevailed some three centuries later. There must have been a real taste for art for its own sake, and a capacity for expressing artistic ideas in outward form even in remote villages, which has well-nigh died out of the land now for lack of opportunity of manifesting itself. The beautiful buildings which have come down to us are but pale ghosts of their former selves, and there seems to be little doubt that they were for the most part clothed with the beautiful shapes that graced them, and the brightness of colour that glowed from every part, by the hands of those who were baptized within their walls and who hoped to lie around them. If men wanted a beautiful church in those days they made it beautiful themselves, for in most places they possessed both the will and the power. And who found the money, for those things were not done for nothing then any more than now? Well, certainly not the monks, who drained the

[1] *Six Centuries of Work and Wages*, p. 383, Ed. 1884.

parishes dry where they could; and dry and starving only too many parishes remain to this day. Nor was it done chiefly by wealthy landowners, who were only too often non-resident, and far more ready to receive than to give. The work, Dr. Jessopp answers, was done at the cost of the parishioners themselves, *vel per se*, *vel per alios* of whom they begged; and the begging was commonly done by the parson. There is nothing new under the sun, only with regard to church building and restoration the old is better. If the canons of Salisbury could go forth—as they did do—to beg for the building fund of their beautiful cathedral, the parish priest might well do the same for the House of God under his care.

The essay on "The Cry of the Villages" should be read carefully, and thoughtfully pondered. The truth is that in most villages there are now no country-people, they are all town's-folk living among the fields. The lot of the village child is a particularly hard one. The Board of Education forces upon him literary instruction because that is the only kind of educational material in which its inspectors can examine; and the Attendance Committees perceiving the futility of such teaching, do not enforce attendance. The result is that the country child is fit neither for town nor country life; his feet despise the country clay, and his head is not sufficiently well stored for the town. The matter is one of considerable antiquarian interest, because until the villages have once more a full, self-contained life of their own they will fail to retain the best of their young people. In the essay on "The Parish Priest in England before the Reformation," Dr. Jessopp gives a better account of the mediæval clergy than many people would expect, and he has much to say for his opinion. Though they grew gradually poorer from the Conquest to the Reformation, and though after the Black Death the social status of the working clergy declined, he thinks that they were generally efficient and hard-working, and that they were trusted by their people. The book suggests to the dwellers in villages in a very pointed way the question—"Are we better than our fathers?"

THE WELSH WARS OF EDWARD I. By JOHN E. MORRIS, M.A. Oxford: CLARENDON PRESS. 1901.

The Welsh Wars of Edward I. are of great historical importance, as completing the conquest of Wales by the English, and as forming the first real school in which the archers were trained who formed the backbone of those English armies which from the Battle of Crecy to the time of Henry VI. were invincible. In very real and important fashion these wars marked an ending and a beginning; and it seems clear that the best archers in the time of Edward I. were the South Welsh, and the English

of the marches from the Forest of Dean northwards. In North Wales the mountains come down close to the sea; the rivers are few and short. In South Wales there is a broad stretch of comparatively level land between the sea and the mountain country, and the river valleys run far into the interior. As a result, while in 1270 almost the whole of South Wales, except the present shires of Carmarthen and Cardigan, had been brought under English control, on the Northern shore the English dominion scarcely extended beyond the sea. South Wales had been conquered, not by the forces of the English Crown, but by great nobles, the lords marchers exercising the right of private war against the Welshmen, and holding the lands they won as their own without any appeal from their subjects to the English King. The most powerful of these lords by far were the members of those families which in turn held the Honour of Gloucester; and probably next to them came the Constables, also a great Gloucestershire house, represented in the time of Edward I. by Humphrey de Bohun, Earl of Hereford. Mr. Morris gives a very interesting account of the marchers and their conquests, and also a map shewing the districts in which the strength of each family lay. Mr. Morris then gives an account of the composition of an army in the time of Edward I.: there were those who rendered the feudal service due from them, and those who were paid. The services were of different kinds; one tenant was bound to send a man who should serve as long as provisions lasted; he came with a piece of bacon, and as he quickly ate it up he forthwith retired. For pay the horsemen received 1s. per day in money or kind, and the infantrymen 2d. Crossbowmen, mostly foreigners, might receive 1s. 6d. per day; they were, however, very costly, and were sent home as soon as possible. Cavalry was the favourite arm; infantry fought only for short periods, fresh relays being continually brought up. With regard to number, there was in 1277 a mass of 15,000 foot, but it was soon scattered; in 1282 the largest mass numbered about 8,000, but it was soon dispersed, the King's own army numbering only 3,000 or 4,000; there were 8,000 infantry in Flanders in 1297. Desertions were frequent, and it sometimes became needful to enlist criminals; it is likely enough that the larger levies were made in the hope that out of the mass a sufficient number of good men could be drawn. Altogether the English do not seem to have been apt for war, and their reputation abroad was very low. The war of 1277 was decided in North Wales. Llewellyn took up a position at Penmaenmawr in order to protect Anglesea, which was the granary of North Wales. King Edward left Chester about July 16th, and cutting his way through the forest while the fleet guarded the shore, he reached Flint on the 26th, Rhuddlan on August 20th, and Diganwy, near the mouth of the Conway, on the 29th. There was no need to advance further: the Welsh were powerless to injure him. He therefore sent home the greater part of his

host, and detached a sufficient force to Anglesey to reap the harvest. This compelled Llewellyn to surrender, and King Edward made good the ground he had won by castles at Flint and Rhuddlan. Mr. Morris gives most interesting details concerning the composition of the English army and the conduct of the march. The war of 1292 and 1293 was general throughout the unconquered part of Wales. The English advanced as before, though with more difficulty, along the Northern coast, to encounter defeat at the Conway River, when Llewellyn was slain near Builth on December 11th, and David was delivered up by his own countrymen in the following June. There was little real fighting after the death of Llewellyn, and the winter campaign, though it was wearisome and expensive to the English, meant starvation to the Welsh, who were less well supplied. The total cost of the war in money was £98,421, cavalry standing for £17,686, infantry for £24,730, and the repair and construction of castles for £23,166. The small body of Gascons cost no less than £7,618; artillery was a very expensive arm. The conquest of Wales was complete, and King Edward ensured his hold on the country by castle-building. But it did not follow that because the country was brought under the power of the English that it came under the rule of the English King, for the lords marchers were supreme in their own domains, and a very interesting account is given of the way in which their power was broken. In 1284 the Earl of Gloucester conducted the King through his Lordship of Glamorgan as a brother potentate; in 1289 he was engaged in private war with the Earl of Hereford, and that was the beginning of the end. In January, 1290, the King ordered that this war should cease; the Earl of Hereford obeyed, and appealed to the King's Courts. This was an opportunity for bringing the lords marchers under the Royal power, and King Edward pressed it home. The men of the Earl of Gloucester were guilty of three raids after the proclamation, and when he did not appear in answer to a summons to a trial by the judges he was summoned to appear before the King, and he was imprisoned and his lands were confiscated for breaking the King's peace on march land as he would not have dared to do in another part of England. The power of the marchers was broken for the time, but their resentment bore bitter fruit for the King in later days. The book describes also the King's Scotch Wars, which are interesting because it is possible to see how the military system which grew up during the Welsh Wars was more fully developed, and also because the marchers were able to revenge themselves upon the King by raising difficulties with regard to their service. But of course this later part of the book lacks the local interest which the presence of so many of the great Gloucestershire families gave to the portion in which the story of the Welsh Wars was narrated.

TRAVEL IN THE FIRST CENTURY AFTER CHRIST. By CAROLINE A. J. SKEEL. Cambridge: UNIVERSITY PRESS. 1901.

This little book, which was originally written in competition for a prize at Girton College, might seem to belong rather to classical antiquity than to Gloucestershire archæology; but seeing that our district included long stretches of the Fosse and the Ermine Street, and that Corinium stood at the most important road-crossing in Roman Britain, except perhaps Venonæ, it will contain much that is of interest to all who are concerned with the state of Gloucestershire during the period of the Roman occupation. It is shewn that during the period under review facilities for travelling were greater than they had been known to be in earlier days, or after the fall of the Roman Empire until quite recently. It is said that the cost of a mile of Roman road was about £800 of our money, and it cannot be denied that the work was well done, though no doubt the Romans often used existing lines of way, as in the case of the Fosse and Watling Street. The earlier Emperors, especially Augustus and Trajan, were great road-makers; indeed it is evident that the Empire could not have been held together unless communication were easy and rapid. With regard to the speed of travelling, the highest rate recorded is that of Tiberius, who is said to have travelled 200 miles in twenty-four hours in order to be with his brother Drusus before he died. The imperial post travelled at the rate of about five miles an hour, and a day's journey consisted of about ten hours' travelling; a foot passenger would walk about twenty-seven Roman miles in a day. In hot weather the night hours afforded the most pleasant and speedy time for a journey. There were plenty of inns, but except at pleasure-resorts they seem to have afforded but poor accommodation, and often they provided only lodging for man and beast. It would be interesting to trace the positions of the inns and stopping-places on the Roman roads of Gloucestershire; it does not seem that this has been done. There is also a chapter on communication by sea, from which it appears that the rate of travelling was about five sea miles an hour for an ordinary ship, and seven and a half for a ship built for speed. It seems clear that in the summer travelling by sea was more easy and almost as quick as travelling by land, and the Mediterranean must have been as much of an ocean highway as it is now. The story closes with the weird narrative of Procopius, which he relates on the authority of eye-witnesses, though he cannot believe it true in all respects. It was said that the inhabitants of the coast opposite to Britain were free from tribute to the Franks because they are subject to another service, that of conducting departed souls to Britain. At night they are summoned to the sea-shore, and find boats deeply laden, though they see not a single person in them. Traversing the sea in an hour, though the passage would usually

take a day and a night, when they reach the island the boats suddenly become light, and a voice is heard declaring the names and titles of those who had crossed. The passage shows how completely all knowledge of Britain had passed from the minds of the rulers of the Roman Empire, for the story must have been set down within a very few years of the time when Cynric captured Old Sarum and pressed on to Barbury above Swindon. Ships were bringing from the Continent a very different human freight from the disembodied souls of Procopius. Though the book can make little claim to originality or deep research, it contains a good deal of information set out in a very interesting way, and it is provided with a good index.

A SHORT ACCOUNT OF THE MONASTERY, COLLEGE, AND CHURCH OF WESTBURY-UPON-TRYM. By ALFRED HARVEY, M.B. HOWELL & SONS, Westbury-on-Trym. 1902.

Many of our members must retain a pleasant recollection of our visit to Westbury a year ago, and this little sixpenny pamphlet contains a really excellent account of the antiquities of the parish. Taking first of all the Monastery, then the later College of Bishops Giffard and Carpenter, and, finally, the Architectural history of the Church. With regard to the first college of canons of the oldest type, more might with advantage have been said concerning the functions of these houses as missionary centres, for it was no doubt from centres of that kind that the country was evangelised at first. And again with regard to later secular canons of collegiate churches, it is hardly true to say that they occupied precisely the position of the parochial clergy of the present day; had that been so their endowments would not have been forfeited: they really resembled the deans and canons of cathedral churches, and where the collegiate church was parochial, as at Westbury and Manchester, the pastoral duties were performed by chaplains. A good account of the college and its buildings is given, and it is satisfactory to learn that what remains of the old work are left will be preserved. With regard to the history of the church, the writer thinks that the first enlargement of the old church took place soon after the year 1200; this may be so, but the pillars of the nave might well be the work of St. Wulfstan, who died in 1095, and who certainly re-endowed the church and restored the fabric. Full justice is done to the excellent work of restoration carried on under the care of Mr. John Norton in the middle of the last century; it might have been added that he was also the architect of the daughter Church of St. Mary Magdalen at Stoke Bishop. Finally, there is—what there ought be in all books of this description—an account of what the church was like when

its builders had finished their work upon it. Too often these descriptions leave the impression that the church as we now see it, is what it was meant to be; while it is now only too often a mere skeleton unclad. We can hardly imagine what the beauty of such a church as Westbury was before the woodwork had been destroyed, and the walls colour-washed, and the glass in the windows knocked out; but it is always well when a writer tries to teach us. It is a pity that more care is not bestowed on the subject of the dedications of the church. There can be little doubt that the dedication of the earliest church was to SS. Peter and Paul; that was the dedication of Osric's minsters at Bath and Worcester, and of Eanulf's other minster at Bredon. All St. Oswald's Benedictine minsters received a dedication to the Blessed Virgin, and St. Wulfstan tells us in 1093 that he had striven to restore the church "in honour of our Lord and Saviour Jesus Christ, of His holy Mother St. Mary, and of all the Apostles." The Colleges of Bishops Giffard and Carpenter were dedicated in the name of the Holy Trinity, this, however, is very probably a continuation of St. Wulfstan's dedication; for the dedications to Christ or St. Saviour, and the Holy Trinity, are synonymous. If any one of our members is contemplating an account of his parish church, he might very likely find this pamphlet helpful with regard to the arrangement of his work.

In Memoriam.

JOHN BELLOWS.

John Bellows, by whose demise at the Knoll, Upton, on May 5th, 1902, Archæology in and beyond this county suffers a very memorable loss, was born at Liskeard, in Cornwall, January 18th, 1831: his parents, William and Hannah Bellows, being members of the Society of Friends, and the former of these, a Schoolmaster. He began his notable career as a printer at fourteen years of age, being apprenticed to Mr. Llewellyn Newton, at Camborne, in that county. In 1851, being twenty years of age, he came to London, and entered the establishment of Messrs. Harrison, Queen's Printers, in St. Martin's Lane, where, however, he remained but a few years. Thence he came to Gloucester, undertaking the management of Mr. Wait's printing-office in Westgate Street, which he directed for seven years, only giving it up in order to start upon his own account. Moving to Eastgate House in 1872, he may be said to have built up the business now so far famed, and which shortly before his death he transferred to the able direction of his sons.

What the Science and Art of Printing owe to him, what Civic and Political Interests in the County owe to him, and, above all, what Philanthropy owes to him, are subjects which have been eloquently dwelt upon in the journals both in this country and in America. It may even be said of him that there was no side of his many-facetted character which would not repay careful scrutiny. But here we must limit ourselves, perforce, to his antiquarian side, both as a former member and ornament of this Society, as an acknowledged authority upon Roman Britain, a scrupulous searcher after light and truth in obscure places and periods, which he has greatly contributed to illustrate. It is recorded that the discovery of a well-preserved portion of the Roman wall of Gloucester, made during the process of erecting

his printing-works in 1872, gave him his first stimulus in the direction of archæological research. His keen perseverance and sense of order down to minute details, his intrepid enthusiasm and fine natural memory all, at once, lent their combined aid to his pursuits, and the result was the formation of an archæologist not of the German academic order at all; not frigid, not dryasdust, nor drily dogmatic, but various and natural, always interesting, if not always convincing, and possessing the undefinable gift of personal charm. John Bellows may, in fact, be termed an "original," and, as Emerson says, "Originals never lose their value." Indeed, it was precisely this originality which made him so attractive to so many; sometimes, even in the inverse ratio to one's power of agreeing with his archæological opinions; for it occasionally seemed not possible to do so; and yet his statements and conclusions were always worthy of very close attention. And if his exposition of this or that theory ever appeared to disadvantage, it was never from defect of information, or of painstaking sincerity of thinking, but from his English over-hardihood in attacking the dark and difficult, and trying to place it beneath his control. And it is not to be wondered at that, acting in this strenuous manner, such a man should often have succeeded in throwing quite a fresh light, not merely upon comparatively unconsidered trifles, but upon important raw material of history, so as to make it take interesting form and live. With a modern academic training his scientific foothold would doubtless have been rendered far more secure; but we cannot help thinking that the individuality of our deceased friend might have been by no means the gainer by it.

In this way, then, John Bellows stood out as a very real and valued archæologist, made thorough by his acumen and perseverance, and yet prevented from becoming heavy or dull by reason of a quick and a kindly wit and a truly childlike geniality. What would have fallen flat, or quite unprofitably from many a lecturer, evoked keen interest from his lips. For him to adopt an old or commonplace theory was a sure sign that some unsuspected and quaint significance would be extracted from it, and one that was certain to be startling to orthodoxy and delightfully shocking to "Academicus."

But what is all this save reiterative evidence that in our late

friend we had with us a manly, independent spirit, who both set forth and strenuously defended from his vast stores of knowledge whatever he believed to be making for light and truth in archæological and antiquarian paths, wherein all of us must be grateful even for mere sparks of real illumination? He was a brave sower of intellectual seed; and thus, in archæology, as in all else, we shall ever regard him affectionately as a true benefactor to his kind.

Mr. Bellows was one of the original members of the Society, and his name appears in the first list of officers as a member of the Council for the Gloucester district. He contributed a paper to the first volume of the *Transactions*, on the "Roman Wall of Gloucester," and other papers, mostly on similar subjects, to later volumes; he was also the printer of the first volume of the *Transactions*.

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II. As Annual Members upon payment of 10s. 6d. Entrance Fee, and an annual subscription of 10s. 6d., which will entitle them to receive gratuitously, the annual volume of Transactions for every year for which their subscriptions are paid.

The Annual Subscription becomes due on the 1st of January, and the Hon. Treasurer, Mr. G. M. Currie, will be obliged if members will send their subscriptions to him at 26 Lansdown Place, Cheltenham.

By order of the Council, the Transactions of the Society are only issued to those members who have paid their subscriptions for the corresponding year.

Application for admission as members to be made to one of the Hon. *Local* Secretaries, or to the

REV. CANON WILLIAM BAZELEY, M.A.,

Matson Rectory,

Gloucester,

Hon. *General* Secretary.

2.18.